

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

Supreme Court of Nevada  
201 South Carson Street,  
Suite 250  
Carson City, NV 89701



ROBIN SWEET  
Director and  
State Court Administrator

Certified Court Interpreters Program

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**NEVADA STATE COURT  
LANGUAGE ACCESS PLAN**

Revised on 12/24/2013

*“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”*

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## 1. INTRODUCTION

Interpreting in Nevada has a long and documented presence. In the mid-1800s, Sarah Winnemucca—the daughter of Chief Winnemucca and granddaughter of Chief Truckee—served as an interpreter and negotiator between her Paiute people and the U.S. Army, and made interpreting easily recognizable. However, the professionalization of court interpreting in the ‘Battle Born State’ did not occur until the beginning of the 21<sup>st</sup> century when the Nevada Legislature provided funding to establish the Certified Court Interpreter Program.

Limited English and non-English speakers have a strong-rooted presence in Nevada. In recognition of this diversity and to ensure competent interpretive services in legal proceedings, the Supreme Court of Nevada, specifically Justice Cliff Young, pioneered a Court Interpreter Program initiative, by requesting the State Bar Board of Governors to look at existing practices concerning court interpreter services in Nevada Courts. A study committee on certification of court interpreters was created in 1990. The objectives of the committee were to find out what services were available, what services were mandated by law to determine whether or not existing services were sufficient and, if so, what was needed to bring the services up to the level that was required by law<sup>1</sup>.

A few attempts to sponsor legislation were aimed at implementing the above mentioned Committee’s recommendations during the 1990s. Even though the legislators recognized the need for statutory regulation of court interpreters, they put it on hold due to the fiscal impact. Finally, the 2001 Legislative Session opened the door by enabling the creation of the Nevada Certified Court Interpreter Program within the Administrative Office of the Courts.

The Nevada Certified Court Interpreter Program was established in 2002 through Nevada Revised Statutes (NRS) 1.510. N.R.S. 1.510 charged the Court Administrator with establishing a program for the certification of court interpreters for witnesses, defendants and litigants who speak a language other than English and do not know the English language.

The Advisory Committee for Certified Court Interpreter Program was created pursuant to NRS 1.530 to advise the State Court Administrator regarding regulations related to certification. The Committee members fully accepted and executed that role and have provided a competent guidance in other court interpreter related matters when requested.

Recent Assembly Bill No. 365, effective as of July 1, 2013 revises certain provisions relating to court interpreters. Section I and 2 of this bill require and authorize the State Court Administrator to adopt regulations which, subject to availability of funding, establish criteria and procedures for the appointment of alternate court interpreters

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<sup>1</sup> Committee Concerning Statewide Court Interpreter Services, 01/11/1991, Summary of Report to the State Bar Board of Governors.

under certain circumstances. Sections 4-6 of this bill require a certified court interpreter or alternate court interpreter to be provided in various judicial proceedings for a person with a language barrier. Section 10 of this bill requires the Advisory Commission on the Administration of Justice to appoint a subcommittee to conduct an interim study concerning language access in the courts.

This Language Access Plan (LAP) has three primary purposes:

- 1) To provide guidance for the consistent application of policies and practices throughout the Nevada court system;
- 2) To provide the basis for training of judicial employees and staff to serve limited English proficient (LEP) individuals; and
- 3) To inform LEP individuals about available language resources.

Furthermore, the LAP reflects the position of the Nevada Judicial Branch to take reasonable steps to provide meaningful access to all individuals in any encounter with Nevada courts regardless of their national origin, or limited ability to read, write, speak or understand the English language.

## **2. DEFINITIONS<sup>2</sup>**

Bilingual – Using or knowing two languages proficiently.

Bilingual Staff – Individuals who are proficient in English and another language and who communicate directly with a limited English proficient (LEP) individual in their common language. This term is intended to be read broadly to include individuals who are proficient in multiple languages.

Certification – The determination, through standardized testing, that an individual possesses certain knowledge, skills, and abilities.

Court – Any federal, state, local, tribal, military, or territorial tribunal within an adjudicatory system, whether judicial or administrative.

Code of Professional Responsibility – The minimum standard of conduct for interpreters working in a court. This is also referred to as the interpreter’s ethical code.

Credentialing – The process of establishing, through training and testing programs, the qualifications of an individual to provide a particular language access service, which designates the individual as certified, registered, or otherwise proficient and capable.

Cultural Competence – A set of congruent behaviors, attitudes, and policies that come together in a system, agency, or among professionals that enables effective work in cross-cultural situations.

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<sup>2</sup> Taken largely from American Bar Association Standards for Language Access in Courts  
[http://www.americanbar.org/groups/legal\\_aid\\_indigent\\_defendants/initiatives/language\\_access.html](http://www.americanbar.org/groups/legal_aid_indigent_defendants/initiatives/language_access.html).

Interpreter – A person who is fluent in both English and another language, who listens to a communication in one language and orally converts it into another language while retaining the same meaning. (See also Translator.)

Interpretation – The unrehearsed transmitting of a spoken or signed message from one language to another.

Language Access Plan (LAP) – The strategy for the provision of the necessary services for limited English proficient (LEP) persons to access the service or program in a language they can understand and to the same extent as non-LEP persons.

Legal Proceeding – Court or court-annexed proceedings under or by the authority of a judicial officer, including proceedings handled by judges, magistrates, masters, commissioners, hearing officers, arbitrators, mediators, and other decision-makers within the judicial branch.

Limited English Proficient (LEP) Person – A limited English proficient (LEP) person is someone who speaks a language other than English as his or her primary language and has a limited ability to read, write, speak, or understand English.

Machine Translation – Software that automatically translates written material from one language to another without the involvement of a human translator or reviewer.

Meaningful Access – The provision of services in a manner that allows a meaningful opportunity to participate in the service or program free from intentional and unintentional discriminatory practices.

Recipient of Federal Financial Assistance – Recipients of federal funds range from state and local agencies, to nonprofits and other organizations. A list of the types of recipients and the agencies funding them can be found at Executive Order 12250 Coordination of Grant-Related Civil Rights Statutes. Sub-recipients are also covered, when federal funds are passed from one recipient to a sub-recipient. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Register – The level and complexity of vocabulary and sentence construction. Not to be confused with the level of certification in Nevada.

Translation – Converting written text from one language into written text in another language. The source of the text being converted is always a written language.

Translator – An individual who is fluent in both English and another language and who possesses the necessary skill set to render written text from one language into an equivalent written text in another language. (See also Interpreter.)

### 3. HISTORICAL BACKGROUND

Linguists estimate that about 6,000-7,000 different languages are spoken in the world today. According to the Ethnologue language database, 364 languages are spoken in the United States at first language level; of those, 176 are indigenous languages, and 188 are immigrant languages.<sup>3</sup>

Although the U.S. Constitution does not specifically guarantee the right to an interpreter for court proceedings, this right has been established in criminal proceedings by construing the **Sixth Amendment** (defendant's right to confront adverse witnesses and his/her right to participate in his own defense, including the assistance of counsel) as well as the **Fifth Amendment** (due process clause), as applied to the states through the **Fourteenth Amendment** (equal protection). The interpreter protects those rights by ensuring the defendant's "presence" when his case is heard, providing a complete interpretation of everything that is said in court. The defendant's right to be present at all stages of the proceedings has long been recognized in case law (*Lewis v. United States* 1892), and the notion of "linguistic presence" was established in *Arizona v. Natividad* (1974). A California case, *People v. Chavez* (1981), declared that appointing a bilingual defense attorney is not enough to guarantee a defendant's right to interpretation. The Court Interpreters Act of 1978 established a certification program to ensure the competency of interpreters working in federal courts, and numerous states have enacted laws or regulations concerning the quality of interpreting in the state courts<sup>4</sup>.

On the other hand, in civil proceedings the constitutional right to the interpreter is less settled. Some states and federal cases have recognized that interpreters are necessary to ensure meaningful participation, however, courts have not uniformly held that civil litigants are entitled to an interpreter under Constitution.<sup>5</sup>

**The Nevada Certified Court Interpreter Program** was established in 2002 through Nevada Revised Statutes (NRS) 1.510. The Program's primary function is to administer certification of spoken language interpreters for courts to use with defendants, witnesses, and litigants who speak a language other than English and do not know or have limited knowledge of the English language. The Certified Court Interpreter Program Advisory Committee established pursuant to NRS 1.530 has been instrumental from the Program's inception in advising the State Court Administrator regarding establishing and modifying regulations related to certification as well as providing guidance in other court interpreter related matters. The Administrative Office of the Courts with the Advisory Committee formulated and adopted a comprehensive policy known as the *State Court Administrator Guidelines for the Nevada Certified Court*

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<sup>3</sup> A table with a comparative overview of languages spoken throughout the world can be found at [http://www.ethnologue.com/ethno\\_docs/distribution.asp?by=country](http://www.ethnologue.com/ethno_docs/distribution.asp?by=country). A descriptive overview of the more common living languages spoken in the United States can be found at [http://www.ethnologue.com/show\\_country.asp?name=US](http://www.ethnologue.com/show_country.asp?name=US).

<sup>4</sup> Mikkelsen, Holly, 2000, *Introduction to Court Interpreting*: St. Jerome Publishing, pages 12-13.

<sup>5</sup> National Center for State Courts, 2013, *A National Call to Action*, page 38.

*Interpreter Program*, which has functioned and continues to function as the foundation of the Program.

Nevada became an official member of the Council of Language Access Coordinators (CLAC), in 2001<sup>6</sup>. Thanks to its affiliation with this national body, the Program receives invaluable access to testing instruments, training modules, and technical information.

The first Orientation Workshop for Prospective Nevada Court Interpreters was held in Northern and Southern Nevada in August 2002. The first interpreter oral examination was administered in the Spanish language in June 2003. Nevada had its own certified court interpreters (all in Spanish) when 15 participants passed the oral examination in 2003. Currently, the Certified Court Interpreters Program annually tests and qualifies interpreters of many foreign spoken languages.

#### 4. LEGAL BASIS

The need to provide services to persons with limited English proficiency (LEP) in the court system (civil context) arises from the U.S. Department of Justice reading of constitutional requirements of equal protection and due process of law, as well as Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d et seq. Title VI<sup>7</sup>), and the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. § 3789d(c) Safe Streets Act<sup>8</sup>), both of which prohibit national origin discrimination by recipients of federal financial assistance (recipient). Regulations under Title VI and Safe Streets Act further prohibit recipients from administering programs in a manner that has the effect of subjecting individuals to discrimination based on their national origin.

In order to comply with the Title VI prohibition against national origin discrimination, recipients of federal financial assistance must take reasonable steps to ensure meaningful access to their programs. If there appears to be a failure or threatened failure to comply with the regulations and if the noncompliance or threatened noncompliance cannot be corrected by informal means, the responsible official may suspend or terminate, or refuse to grant or continue, Federal financial assistance, or use any other means authorized by law, to induce compliance with these requirements. See *id.* §§42.108, 42.210.

On August 11, 2000, President Bill Clinton issued Executive Order 13166, titled “Improving Access to Services by Persons with Limited English Proficiency.” The Order requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to limited English proficiency (LEP), cannot fully and equally participate in or benefit from those

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<sup>6</sup> Council of Language Access Coordinators (CLAC), formerly known as the Consortium for Language Access in the Courts’ web page available at <http://www.ncsc.org/Services-and-Experts/Areas-of-expertise/Language-access.aspx>.

<sup>7</sup> Title VI of the 1964 Civil Rights Act available at <http://www.justice.gov/crt/about/cor/coord/titlevistat.php>.

<sup>8</sup> Omnibus Crime Control and Safe Streets Act available at [www.fcc.gov/Bureaus/OSAC/library/legislative\\_histories/1615.pdf](http://www.fcc.gov/Bureaus/OSAC/library/legislative_histories/1615.pdf).



programs and activities. In other words, every Federal agency that provides financial assistance to non-Federal entities must publish guidance on how their recipients can provide meaningful access to LEP individuals<sup>9</sup>.

On June 18, 2002, the Department of Justice issued final guidance<sup>10</sup> to its recipients regarding the requirement under Title VI and the Title VI regulations, as well as under the Safe Streets Act, to take reasonable steps to provide meaningful access to LEP individuals. See 67 Fed. Reg. 41,455 (DOJ Guidance).

According to the DOJ guidance, recipients have two main ways to provide language services and therefore ensure meaningful access by LEP person: oral (interpretation) and written (translation). Interpretation is the oral or signed transfer of meaning from one language into another language. The interpretation should conserve the meaning, tone, style, and register of the original message without additions or omissions. Translation is rendering written material from one language into written form in another language. The quality and accuracy of the language services are critical to avoid serious consequences to the LEP person and to the recipient. DOJ Guidance further deals with the issue of what constitutes reasonable steps to ensure meaningful access. DOJ Guidance emphasizes the importance of the following **four-factor balancing test** for identifying and addressing the language assistance needs of LEP persons:

- i. ***the number or proportion of LEP persons in the eligible service population;***
- ii. ***the frequency with which LEP individuals come in contact with the program;***
- iii. ***the importance of the service provided by the program; and***
- iv. ***the resources available to the recipient.***

In response to the above mentioned DOJ Guidance, the Certified Court Interpreters' Program in the State of Nevada has developed and implemented this Language Access Plan (LAP), which is intended to be a practical and usable tool for the Nevada judiciary.

Two cases involving limited English proficient individuals have been decided by the Supreme Court of Nevada in 2007 and 2009. In case 123 Nev. 316 (2007) *Caballero v. White Pine County District Court* dealt with original proper person petition for a *Writ of Mandamus* challenging a district court order that affirmed a justice court order, which dismissed petitioner's small claim action.

Petitioner, an indigent inmate who could not speak English, filed petition for *Writ of Mandamus*, seeking to compel district court to require justice court to appoint an

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<sup>9</sup> LEP individuals are persons whose first language is other than English and who have a limited ability to read, write, speak, or understand English.

<sup>10</sup> Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons available at <http://www.justice.gov/crt/about/cor/lep/DOJFinLEPFRJun182002.php>.

interpreter in underlying small claims action for return of lost property. The Supreme Court held that: (1) statute requiring appointment of interpreters for persons with disabilities did not entitle inmate to an interpreter, (2) courts are vested with the inherent authority in civil proceedings to appoint interpreters, (3) court was expressly authorized to appoint an interpreter under justice court rule, and (4) case would be remanded to allow justice court to consider appointing interpreter. Petition was granted.

In case 125 Nev. 763 (2009), *Ouanbengboune v. State* involved a Laotian-speaking individual who appealed a judgment of conviction, pursuant to a jury verdict, of first-degree murder with the use of a deadly weapon.

The Supreme Court held that: (1) court-appointed interpreter's errors in interpreting non-English speaking defendant's testimony fundamentally altered context of defendant's testimony, (2) court-appointed interpreter's errors in interpreting non-English speaking defendant's testimony did not prejudice defendant, (3) defendant was entitled to afterthought robbery instruction relative to felony-murder charge, (4) defendant's failure to object to trial court's failure to administer afterthought robbery instruction rendered the issue subject to review for plain error, and (5) trial court's failure to administer afterthought robbery instruction was not plain error. Judgment of conviction was affirmed.

## **5. LEP POPULATION NEEDS ASSESSMENT**

The U.S. Constitution requires a census every 10 years to determine how many seats each state will have in the U.S. House of Representatives. The Census Bureau's Population Estimates Program (PEP) on July 1 of each year estimates populations for future years after the last published decennial census (2010). Existing data series such as births, deaths, and domestic and international immigration, are used to update the decennial census base counts.

Nevada covers 110,567 square miles, making it the 7th largest of the 50 states. The majority of the population is concentrated in the Reno and Las Vegas areas with the remainder spread throughout the rural areas. In 2012, Nevada ranked 35th in population in the United States (up from 39th in 1990) with an estimated total of 2,758,931. Between 1990 and 2000, Nevada's population grew from 1,201,833 to 1,998,257, an increase of 66.3 percent, the decade's largest increase by far among the 50 states (followed by 40 percent for Arizona). The 1990s were also the fourth consecutive decade in which Nevada was the country's fastest-growing state and had a population growth rate more than 50 percent. With a population density of 24.6 persons per square mile in 2010 (density rank 44), Nevada remains one of the most sparsely populated states. There are 17 Counties in Nevada. The largest Nevada County by size is Nye County, which is 18,147 square miles. The largest Nevada County by population is Clark County, which had a population of 1,951,269 in 2010.

The following data reflects the U.S. Census<sup>11</sup> quick facts pertaining to Nevada:

<b>Population, 2012 estimate</b>	<b>2,758,931</b>
<i>Persons under 5 years, percent, 2011</i>	6.8%
<i>Persons under 18 years, percent, 2011</i>	24.4%
<i>Persons 65 years and over, percent, 2011</i>	12.5%
<i>White persons, percent, 2011 (a)<sup>12</sup></i>	77.7%
<i>Black persons, percent, 2011 (a)</i>	8.6%
<i>American Indian and Alaska Native persons, percent, 2011 (a)</i>	1.6%
<i>Asian persons, percent, 2011 (a)</i>	7.7%
<i>Native Hawaiian and Other Pacific Islander, percent, 2011 (a)</i>	0.7%
<i>Persons reporting two or more races, percent, 2011</i>	3.7%
<b>Persons of Hispanic or Latino origin, percent, 2011 (b)<sup>13</sup></b>	<b>27.1%</b>
<i>White persons not Hispanic, percent, 2011</i>	53.6%
<b>Foreign born persons, percent, 2007-2011</b>	<b>19.2%</b>
<b>Language other than English spoken at home, pct. age 5+, 2007-2011</b>	<b>28.5%</b>

According to the U.S. Census Bureau information released on September 22, 2009, one in three Hispanic households in Nevada continues to be linguistically isolated. Nevada ranks fifth nationally, with 33.7 percent of Hispanic households not having anyone over 14 fluent in English<sup>14</sup>.

Spanish language is by far the most commonly spoken language at home (population 5 years and over) besides English in the Silver State (9.4 percent) – see [Table 1.](#) on the page 13. Interestingly, there are 26 additional foreign languages (e. g. Tagalog, Chinese, Korean, Vietnamese, African languages, other Pacific Island Languages etc.) for which more than 500 person or more reside in the state and speak language other than English.

Nevada's Judiciary is a non-unified court system, meaning it has no centralized funding structure. While the Nevada Constitution gives the Chief Justice of the Supreme Court administrative authority over all courts, many responsibilities for the daily operation of the courts fall to local governments.

The courts are currently not mandated to report the frequency of contact with LEP persons to the AOC. Using data from the Eighth Judicial District Court in Clark County (FY 2011) provided voluntarily by the Court's Administration for demonstrative purposes only, the Spanish speakers are being assisted the most<sup>15</sup>. Furthermore, the Judges'

<sup>11</sup> A recent press release from the Census website suggests that only certain information has been released so far for Nevada – see <http://quickfacts.census.gov/qfd/states/32000.html>.

<sup>12</sup> (a) Includes persons reporting only one race.

<sup>13</sup> (b) Hispanics may be of any race, so also are included in applicable race categories.

<sup>14</sup> Originally published in the September 22, 2009, online edition of the Reno Gazette-Journal (<http://www.rgj.com/>).

<sup>15</sup> Assistance includes, but is not limited to: District Courts, Justice Courts, District Attorney's Office, Public Defender's Office, Family Courts, Family Support, Juvenile Justice Services, Family Mediation Center, Temporary Protective Order (TPO) Courts, TPO Office, Juvenile Probation/Intake, DFS (CPS/SAINT Clinic & Foster Program), Pro Bono, and Court/Clerk Public Inquiry Telephone Calls Court/Clerk Public Inquiry Telephone Calls.

Survey Results Report (May 2011) corroborates this observation. Spanish language court interpreter services are the most solicited according to the survey's respondents, followed by some languages of Asia (i.e., Mandarin, Vietnamese, and Tagalog), Middle-Eastern languages (i.e., Arabic, Farsi, Urdu), the languages of India (Punjabi, Hindi), and Russian Federation's languages, for instance<sup>16</sup>

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<sup>16</sup> Evaluation Survey Report on Court Interpreter Services in Nevada, Section 3 available at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/6667/>.

**Table 1.** *Languages Spoken by Limited English Proficient (LEP) Individuals in Nevada, 2009-2011<sup>17</sup>*

<b>LANGUAGE</b>	<b>LEP TOTAL POPULATION<sup>18</sup></b>	<b>PERCENT<sup>19</sup></b>
Spanish	236,100	9.4%
Tagalog	21,400	
Chinese	15,500	
Korean	6,500	
Vietnamese	4,600	
African languages	4,400	
Other Pacific Island Languages	3,500	
Thai	3,000	
Japanese	2,300	
Arabic	2,100	
Other Indic Languages	2,100	
Serbo-Croatian	1,800	
Other Indo-Euro. Languages	1,800	
Russian	1,700	
French	1,600	
Persian	1,600	
Other Slavic Languages	1,500	
German	1,300	
Italian	1,200	
Armenian	900	
Hindi	900	
Gujarati	800	
Laotian	700	
Hungarian	600	
Other Asian Languages	600	
Polish	600	
Portuguese	600	
<b>Total LEP Population in Nevada</b>	<b>322,600</b>	

<sup>17</sup> Source: Migration Policy Tabulations from the U.S. Census Bureau's pooled 2009-11 American Community Survey (for the United States and states, except Wyoming and Puerto Rico) and 2007-11 ACS (for counties, plus Wyoming and Puerto Rico) available at <http://www.migrationinformation.org/integration/LEPstate-countyData.xlsx>.

<sup>18</sup> LEP number estimates are included if 500 persons or more reside in the state.

<sup>19</sup> LEP percentage estimates by language are displayed only if 5 percent or more.

**Table 2.**      *Number of Interpreter Related Requests (Sign and Spoken Languages) Tracked by the 8<sup>th</sup> Judicial District Court Interpreter Office in Clark County during FY 2010*

LANGUAGE	REGIONAL JUSTICE CENTER	FAMILY COURT
<sup>a</sup> Spanish or Spanish Creole	50,114	17,172
<sup>d</sup> Tagalog	490	n/a <sup>20</sup>
<sup>a</sup> Chinese	840	79
Korean	325	n/a
<sup>c</sup> Vietnamese	270	54

Nevada courts may use census data and other available data to track demographic changes that may indicate changes in the need for interpretation in a particular language. Additionally, trial courts should consider keeping records regarding:

- a) the frequency with which interpreters are requested for different languages,
- b) the extent to which certified interpreters are provided in response to the requests, and
- c) any delays in providing interpreters<sup>21</sup>.

## **6. COURT INTERPRETER PROGRAM**

The current testing process in Nevada provides an objective assessment of linguistic sophistication as well as interpretation skills of those with ambition to serve as interpreters. Only individuals who prove themselves through language testing measures, who have a clean background check, and comply with other requirements, will obtain a proper interpreter certification credential<sup>22</sup>. Their professional skills are crucial to help to protect the constitutional rights of court participants with limited English proficiency.

The Certified Court Interpreters Program's main focus has been on ensuring that spoken language court interpreters in Nevada are competent, as indicated by objective measure, to provide high level language assistance services in those courts.

The Program is managed by the AOC with input to the regulations from the Nevada Certified Court Interpreters Advisory Committee. The purpose of the Committee is to conduct an ongoing assessment of Nevada's Certified Court Interpreter Program in order

<sup>20</sup> The 8<sup>th</sup> Judicial District Court Interpreters' Office statistical data does not include information on frequency of Tagalog and Korean interpreters' requests at the Family Court settings.

<sup>21</sup> Brennan Center For Justice, Language Access in State Courts Publications available at [http://www.brennancenter.org/content/resource/language\\_access\\_in\\_state\\_courts/](http://www.brennancenter.org/content/resource/language_access_in_state_courts/).

<sup>22</sup> Upon conclusion of the credentialing process, each interpreter receives a "Certificate of Appointment" and official "Nevada Court Interpreter Identification Badge."

to make recommendations to the Court Administrator for improvements to the program, and changes to policy. The committee was created by the legislature, is codified within the Nevada Revised Statutes (NRS), and subsequently became a standing committee of the Judicial Council of the State of Nevada (JCSN).

The Advisory Committee consists of a district judge, a justice of the peace or municipal judge in a county whose population is less than 100,000, an administrator of a district court, an administrator of a justice's court or municipal court in a county whose population is less than 100,000, a representative of the University and Community College System of Nevada, a representative of a non-profit organization for persons who speak a language other than English, and a person certified to act as an interpreter for a federal court. In addition to the above statutorily prescribed positions, the committee also includes two members of JCSN, one from a district court, and one from a limited jurisdiction court, and person certified as an interpreter in Nevada. The AOC's State Court Administrator is the ex officio Chairman of the committee<sup>23</sup>.

The State Court Administrator oversees the certified court interpreter program for Nevada. As with many programs under the purview of the State Court Administrator, staff is largely responsible for the day-to-day efforts. The Program Coordinator identifies policy issues, develops procedures in reference to court interpreters, enforces those policies and procedures, and monitors interpreter compliance. The Coordinator administers testing for credentialing foreign language court interpreters, coordination and training on the use of foreign language interpreters and ethics, and regularly updates a Court Interpreter Roster for the Nevada Judiciary, which lists all Nevada credentialed (certified and registered) court interpreters.

Only the Nevada Administrative Office of the Courts can award the "Certified/Registered Court Interpreter" credential for use in Nevada. The use of the term "certified" in any other situation is not "certification" as provided in the statutes for Court Interpreters (NRS 1.510). *"It is unlawful for a person to act as a certified court interpreter or advertise or put out any sign or card or other device which might indicate to the public that he is entitled to practice as a certified court interpreter without a certificate as an interpreter issued by the court administrator pursuant to NRS 1.510 and 1.520."* **(NRS 1.540)**

The Coordinator also collaborates with staff from federal, state, local and non-profit agencies on various projects that impact the judicial branch, and represents Nevada at the Council of Language Access Coordinators (CLAC).

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<sup>23</sup> Certified Court Interpreters Advisory Committee Bylaws.

## 7. COURT INTERPRETER QUALIFICATIONS

There are two categories of foreign spoken language court interpreters in Nevada: *Certified* and *Registered*.

Current basic requirements for a Foreign Language Certification/Registration in Nevada include the following<sup>24</sup>:

1. Complete the Orientation Workshop for Interpreters in the Nevada Courts. The workshop covers fundamentals of court interpretation (modes, ethics, and role of the interpreter) as well as an introduction to Nevada's court system. The written exam provided by the Council of Language Access Coordinators (CLAC) is administered at the conclusion of the workshop.
2. Pass the Nevada Certified Court Interpreter Written Test consisting of four sections (General English Language Vocabulary, Court Related Terms and Usage, Ethics, and Professional Conduct) with a minimum score of 80 percent.
3. Pass the Nevada Certified Court Interpreter Oral Examination if the working language is a language for which the Council of Language Access Coordinators (CLAC) developed oral performance examination (consecutive skills interpreting test, simultaneous skills interpreting test, and a two-part sight translation skills test) with a minimum score of 70 percent. Or undergo the oral proficiency interview (OPI) with ALTA Language Services, Inc. ("ALTA") or Language Testing International ("LTI") and receive a score of 12 on ALTA's testing scale or a rating of "Superior" according to the American Council for Testing of a Foreign Language ("ACTFL") Proficiency Guidelines by the LTI.
4. Provide verification of Nevada courtroom observation or work (40 hours in total for the last 12 months).
5. Submit two (2) fingerprint cards and pass the requisite background check.

According to the State Court Administrator Guidelines, item 4.3.1.5 '*a candidate must pass the oral exam within 2 years of passing the written exam, or s/he will be required to retake the written exam.*'

A description and related credentialing requirements for each Nevada court interpreter category are highlighted below.

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<sup>24</sup> State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program available at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/9410/>.



### ❖ **Nevada Certified Court Interpreter**

An interpreter who holds the Nevada Certified Court Interpreter Certification and the Nevada certified interpreter identification card issued by the Nevada Supreme Court, Administrative Office of the Courts. S/he possesses all of the requirements noted above, and additionally has sworn to the oath set forth in NRS 50.054 and the Canons set forth in the Code of Professional Responsibility for Interpreters in Nevada Courts, administered by a judge holding office within the State of Nevada, an officer of the court, or judge's designee.

Among the Nevada Certified Court Interpreters are a few individuals who are designated as Nevada Master Level Court Interpreters.

***Nevada Master Level Certified Court Interpreter*** is an interpreter who holds the Nevada Certified Court Interpreter Certification and the Nevada certified interpreter identification card issued by the Nevada Supreme Court, Administrative Office of the Courts. A 'Master Level' designation is given to Nevada Certified Court Interpreters who complied with all mandatory requirements concerning certification status and additionally:

- Achieved a successful score of 80 percent or higher on the Written Test as well as on all three parts of the oral exam, or
- Passed the federal certification examination.

### ❖ **Nevada Registered Court Interpreter**

A Nevada Registered Court Interpreter is an interpreter for whom no oral examination has been developed by the CLAC or offered in his/her particular language. The applicant has successfully satisfied requirements mentioned above. If the interpreter's language of expertise has not been available for oral testing by way of the Consortium oral performance examination, the applicant must have undergone the oral proficiency interview (OPI) by ALTA Language Services, Inc. ("ALTA") or Language Testing International ("LTI") and received a score of 12 on ALTA's testing scale or a rating of "Superior" according to the American Council for Testing of a Foreign Language ("ACTFL") Proficiency Guidelines by the LTI. The Nevada Certified Court Interpreter Program will allow an interpreter to take the OPI twice in a language within a 3-year period. Furthermore, an interpreter has sworn to the oath set forth in NRS 50.054 and the Canons set forth in the Code of Professional Responsibility for Interpreters in Nevada Courts, administered by a judge holding office within the State of Nevada, an officer of the court, or judge's designee.

The Guidelines (Appendix IV) provide specific directions concerning the continuing education (CE) policies established for all credentialed interpreters (certified and registered) in Nevada. Pursuant to Guidelines' provision 3 entitled "Required Credits, Minimum and Maximum by Type of Education," to satisfy the requirements for retaining the Nevada Certified Court Interpreter credential, each certified or registered interpreter must earn 40 CE credits every 3 years, as a condition of

renewal. The 40 CE credits must include a minimum of 3 credits on Ethics. These requirements are mandatory to assist the interpreter in fulfilling Canon 10 of the Code of Professional Responsibility for Interpreters in the Nevada Courts regarding professional development.

The Program works closely with a variety of educational providers whose educational activities are subject to approval for credits. These activities are offered in several spoken languages either in person via traditional types of classroom lectures and/or online via distance learning, which not only includes independent study, but which can include videotaped/CD-ROM material, broadcast programming, online/Internet delivery, and online Interactive Courses. In addition to being posted online, all Nevada credentialed interpreters receive e-mail notifications about approved CE activities on a regular basis<sup>25</sup>. The use of conference-type group study, which can include study networks as well as different types of seminars/workshops, can be used to facilitate learning. The Guidelines permit court interpreters to obtain CE credits for alternative-study courses/programs as well as for teaching and/or facilitating approved CE programs.

The AOC Certified Court Interpreter Program compiles and maintains a list of Nevada Certified and Registered Court Interpreters. This list is routinely updated and available on our website at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/6429/>. Included in this roster is the interpreter's name, identification number, working language, telephone number, email address, information on interpreter's availability to assist rural courts as well as interpreter's active/inactive status. Furthermore, the roster contains information as to whether or not the interpreter has achieved the "master level" (see Section 5, subsection "A" titled 'Court Interpreter Qualifications').

Nevada courts should make every effort to schedule those court interpreters who possess a certified or registered court interpreter credential. If there are no credentialed court interpreters in Nevada for certain languages, the AOC will, upon request, assist the courts by facilitating contact information on interpreters who possess appropriate credentials in other Consortium member states.

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<sup>25</sup> Certified Court Interpreter Continuing Education Activities Approved by the Administrative Office of the Courts available at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/6275>.

## **8. CODE OF PROFESSIONAL RESPONSIBILITY**<sup>26</sup>

The court interpreter is a skilled professional, who fulfills an essential role in the administration of justice. The Nevada Code of Professional Responsibility shall guide all persons, agencies, and organizations who administer, supervise the use of, or deliver interpreting services to the courts. Ensuring equal access to the communication, however, may on occasion conflict with this code. When unique situations necessitate an exception to the code in order to ensure effective communication, the court may so allow.

Violations of the Nevada Code of Professional Responsibility may result in the interpreter being removed from a court's list of qualified, registered, master level, and/or certified interpreters.

***Canon 1. ACCURACY AND COMPLETENESS***

The interpreter shall render a complete and accurate interpretation or sight translation, without altering, omitting anything from, or adding anything to what is stated or written, and without explanation.

***Canon 2. REPRESENTATIONS OF QUALIFICATIONS***

The interpreter shall accurately and completely represent his or her certifications, training, and pertinent experience. The court should reassess the interpreter's qualifications each time the interpreter is engaged to interpret in court for a non-English speaking party or witness.

***Canon 3. IMPARTIALITY AND AVOIDANCE OF CONFLICT OF INTEREST***

An interpreter shall refrain from conduct that may give an appearance of personal bias or conflict of interest. The interpreter shall disclose to the court, or attorney, any real bias or interest in the parties or witnesses in a case, or any situation or relationship that may be perceived by the court, any of the parties, or any witnesses as a personal bias or interest in the parties or witnesses in a case. This disclosure shall not include privileged or confidential information. The court shall then determine if appointment of a different interpreter is necessary, thereby releasing the interpreter from the interpreter's obligation in the case. If the court and all of the parties agree that the interpreter may serve on the case, the interpreter may remain appointed to the case.

***Canon 4. PROFESSIONAL DEMEANOR***

Interpreters shall conduct themselves in a manner consistent with the dignity of the court and shall be as unobtrusive as possible.

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<sup>26</sup> See the State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program, Appendices I and II available at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/9410/>.

**Canon 5. CONFIDENTIALITY**

Interpreters shall understand the rules of privileged and other confidential information and shall protect the confidentiality of all privileged and other confidential information.

**Canon 6. RESTRICTION OF PUBLIC COMMENT**

Interpreters shall not publicly discuss, report, or offer an opinion concerning a matter in which they are or have been engaged, even when that information is not privileged or required by law to be confidential.

**Canon 7. SCOPE OF PRACTICE**

Interpreters shall limit themselves to interpreting or performing sight translation and shall not give legal advice, express personal opinions to individuals for whom they are interpreting, or engage in any other activities that may be construed to constitute a service other than interpreting or translating.

**Canon 8. ASSESSING AND REPORTING IMPEDIMENTS TO PERFORMANCE**

Interpreters shall, at all times, assess their ability to deliver their services. When interpreters have any reservation about their ability to satisfy an assignment competently, they shall immediately convey that reservation to the court.

**Canon 9. DUTY TO REPORT ETHICAL VIOLATIONS**

Interpreters shall report to the court any actions by the persons that may impede their compliance with any law, any provision of this code, or any other official policy governing court interpretation and sight translation.

**Canon 10. PROFESSIONAL DEVELOPMENT**

Interpreters shall continually improve their skills, increase their knowledge and advance the profession through activities such as professional training, education and interaction with colleagues and specialists in related fields.

## **9. DISCIPLINARY POLICY**<sup>27</sup>

In accordance with Nevada Revised Statutes (NRS) 1.510, the State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program address disciplinary action for violations of the Code of Professional Responsibility for Nevada Court Interpreters. These policies and procedures were developed with assistance from the Advisory Committee. Detailed procedures are outlined within the State Court

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<sup>27</sup> State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program, Appendix III available at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/9410/>.

## 10. **SERVICES PROVIDED**

The Nevada Judiciary is highly cognizant of the LEP community and its needs, and it is committed to ensure that persons with limited English proficiency have equal access to the courts, available court services, and justice. The courts—district, justice, and municipal, be it in a rural or urban setting—are responsible for ensuring that prompt, accurate, complete, and consistent oral interpretation and translation are provided in a manner that complies with the policies and procedures described in this Plan.

### **A) Interpreter Assistance during Court Proceedings and Court-Sponsored Programs**

#### **♦ *In-Person Interpretation Assistance***

The Nevada courts are responsible for securing and scheduling interpreters for all judicial and related proceedings. The courts are free to contact the interpreter directly.

No statutory mandate requires the exclusive use of certified court interpreters; however, the Guidelines enumerate scenarios when certified interpreters should be used. The more complex, difficult, or legally significant assignments (e.g., capital trials, criminal trials where potential penalties include significant terms of incarceration, criminal or civil trials with highly technical terminology by witnesses) should be served by certified interpreters. The judge has the discretion to consider the gravity of the offense involved and the abilities of the person available to interpret<sup>28</sup>.

As a general rule, Nevada courts should first seek language assistance from in-person interpreters possessing the appropriate credential from the AOC Certified Court Interpreters Program. If no in-person Nevada credentialed court interpreter is available and all due diligent efforts to secure one have been exhausted, the court may for good cause appoint an interpreter who does not yet possess a court interpreter credential. In that case, the courts should undertake the voir dire<sup>29</sup> process, which will assist in determining if the prospective interpreter is sufficiently qualified to provide services.

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<sup>28</sup> State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program, provision 4.1 available at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/9410/>.

<sup>29</sup> See Attachment I – *Voir Dire* Samples.

Team interpreting<sup>30</sup> is recommended for all lengthy legal proceedings and is an effective tool in the administration of justice. Interpreting is cognitively demanding and stressful. It requires many mental processes to occur simultaneously: the interpreter listens, analyzes, comprehends, and uses contextual clues to convert thought from one language to another in order to immediately render a reproduction in another language of each speaker's original utterances. In courtrooms with imperfect acoustics, cramped seating, security issues, miscellaneous noise, mumbled diction, interruptions, tense litigation, and lawyers or clients who may need the interpreter at any moment for a private consultation, interpreters need to channel dozens of stimuli and effectively sort them in order to fulfill the task at hand. Even 30 to 60 minutes of continuous interpreting leads to significant processing fatigue. Thus, simultaneous interpretation can be seen as a "cognitive management problem." After a certain amount of time on task, an interpreter inevitably reaches a saturation point, at which time errors cannot be avoided because mental circuits get overloaded<sup>31</sup>. Team interpreting is a quality control mechanism, implemented to preserve the accuracy of the interpretation process in any circumstance.

#### ◆ ***Remote Interpreting***

Telephone and video-conference interpreting are becoming an attractive option for court administrators who want to save travel costs, gain access to qualified interpreters in languages of limited diffusion, and enhance security (especially in the case of criminal defendants who are in custody). Also important, however, are the disadvantages of impeded communication. It is widely recognized that interpreters must see faces of the speakers they are interpreting in order to receive both the linguistic and paralinguistic aspects of the source message as reliably as possible (Seleskovitch, 1968; Jones, 1998)<sup>32</sup>.

- ***Telephonic Interpretation Assistance***

Federal law requires courts to provide qualified interpreters for non-English speakers to protect all parties' civil rights. Telephonic interpreting is one way to protect these rights and ensure equal access in instances where no in-person interpreter is available. Nevada courts should consider this alternative as a viable communication source for a LEP individual.

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<sup>30</sup> In court settings, team interpreting refers to the practice of using two or more rotating interpreters to provide simultaneous or consecutive interpretation for one or more individuals with limited English proficiency.

<sup>31</sup> NAJIT (National Association of Judiciary Interpreters and Translators) POSITION PAPER – Team Interpreting In the Courtroom found at <http://www.najit.org/publications/positions.php>.

<sup>32</sup> Mikkelsen, Holly, 2000, *Introduction to Court Interpreting*: St. Jerome Publishing, page 80.

Telephone interpreting is best suited when:

- *no certified, qualified, or language-skilled interpreter is available in person;*
- *protecting the interpreter's anonymity is necessary; and/or*
- *the proceedings are of short duration*<sup>33</sup>.

Courts should either create their own telephone interpreter bank using Nevada certified and registered court interpreters listed on the Court Interpreters' Roster (Telephone Interpreter Line) or establish a contact via subscription to telephonic language assistance providers. The Nevada State Purchasing Division has awarded contracts for telephone based interpreter services – the vendors include CTS Language Link, Language Line Services, and Pacific Interpreters<sup>34</sup>.

- *Remote Video Interpreting Assistance*  
Distance video interpreting, also known as video remote interpreting, is a process that allows interpreting services without the face-to-face interaction. Video remote interpreting uses videoconferencing technology and the internet, e.g., an interpreter from a remote location appears on a screen using cameras to help multiple parties to communicate.

## **B) Other Resources**

The interpreter assistance described above can be complemented or in special instances augmented with additional resources. These include, but are not limited to, the use of language identification cards and bilingual staff. Courts need to consider the importance of the information, encounter, or service involved, and the consequence to the LEP person of not having the information in question provided accurately or timely.

### **♦ “I SPEAK” Cards**

The first two factors in the Department of Justice four-factor analysis requires an assessment of the number or proportion of LEP individuals eligible to be served or encountered and the frequency of encounters. This requires recipients/courts to identify LEP persons with whom they have contact.

One way to determine the primary language of communication is to use language identification cards or “I speak cards”, which invite LEP persons to

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<sup>33</sup> NAJIT (National Association of Judiciary Interpreters and Translators) POSITION PAPER - Telephone Interpreting In Legal Setting available at <http://www.najit.org/publications/positions.php>.

<sup>34</sup> State of Nevada, Department of Administration, Purchasing Division available at [http://purchasing.state.nv.us/Translations/Translation\\_Services.htm](http://purchasing.state.nv.us/Translations/Translation_Services.htm).

identify their language needs to staff. Such cards, for instance, might say “I speak Spanish” in both Spanish and English, “I speak Vietnamese” in both English and Vietnamese, etc. To reduce costs of compliance, the Federal Government has made a set of these cards available on the Internet. The Census Bureau “I speak card” can be found and downloaded at [www.justice.gov/crt/cor/Pubs/ISpeakCards.pdf](http://www.justice.gov/crt/cor/Pubs/ISpeakCards.pdf).

♦ ***Bilingual Employee Assistance***

Bilingual court staff can assist in meeting the Title VI and Executive Order 13166 requirement for federally conducted and federally assisted programs and activities to ensure meaningful access to LEP persons. One of the primary ways that bilingual staff can be used is to have them conduct daily out-of-court business with the LEP clients directly in the clients’ primary language. For instance, at the clerk’s office counters and self-help centers, the courts should seek to employ bilingual employees and/or volunteers who can communicate directly with a LEP individual in a particular language and/or use a telephonic interpreter service. These employees will be able to provide self-represented litigants with assistance in understanding court processes and completing necessary forms. This type of assistance does not involve interpretation or the translation between languages. However, it does require fluency in the non-English language, including fluency in court/legal terminology. Such fluency should be assessed prior to relying on the bilingual employee for the provision of specific court-related services.

Additionally, courts should implement the following best practices regarding the use of bilingual employees:

- develop and maintain an internal phone list of existing bilingual employees who may provide assistance to LEP customers when necessary and when no staff person is available to provide that assistance in person;
- identify those positions in which employees may be called upon to use foreign language in dealing with the public;
- hire employees with foreign language reading, writing, and speaking skills;
- facilitate language training to bilingual employees;
- provide monolingual and bilingual legal dictionaries to bilingual court staff who regularly interact with the public;
- equip the court staff with “I Speak” cards that represent more than 60 languages to help identify the LEP individual’s primary language;
- annually review *Breaking Down the Language Barrier*, a video training tool provided by the Department of Justice, which can be streamed at <http://www.justice.gov/crt/pressroom/videos.php?group=2> in five spoken languages; and
- ensure that court staff is familiar with the Nevada Model Code of Conduct for Court Employees.



## 11. **TRANSLATION OF DOCUMENTS AND SIGNAGE**

Nevada courts should also evaluate the need for written materials routinely provided in English to be provided in regularly encountered languages other than English. It is important to ensure that vital documents are translated into the non-English language of each regularly encountered LEP group eligible to be served or likely to be affected by the program or activity. A document will be considered *vital* if it contains information that is critical for obtaining federal and/or state services and/or benefits, or is required by law. The Nevada courts will be able to determine which documents are ‘vital’ by applying the four-factor analysis. Vital documents include, for example: applications, consent and complaint forms; notices of rights and disciplinary action; and notices advising LEP persons of the availability of free language assistance. The courts should translate all the key forms used in their judicial setting. *Non-vital* information includes documents that are not critical to access such benefits and services<sup>35</sup> or if are not required by law; the extent of the obligation to provide written translations should be determined on a case-by-case basis, looking at the totality of the circumstances in light of the four-factor analysis.

### ❖ ***SAFE HARBOR FOR WRITTEN TRANSLATION OBLIGATIONS***

Under the “Safe Harbor” guidance, all recipients of federal funds are required to provide written translations, free of cost to the customer, for all documents identified as vital. These written translations must be provided for each eligible language group that constitutes at least 5% or 1,000 LEP individuals, whichever is less, of the population of persons served or likely to be served by programs in the service area (see U.S. Census Bureau American Fact Finder web link<sup>36</sup>).

Safe harbor provisions apply to the translation of written documents only. The following actions will be considered as “strong evidence” that a practice has complied with its written translation obligations:

Written translations of vital documents are provided for each eligible LEP language group that *constitutes 5% or 1,000, whichever is less*, of the population of persons eligible to be served or likely to be affected or encountered; or if there are *fewer than 50 persons in a language group that reaches the 5% trigger*, the practice may, as an alternative to translating vital written materials, provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation (sight translation) of the written materials without cost.

The intent of the safe harbor provisions is to provide a guide that offers a greater degree of certainty of compliance than that offered by applying the fact-intensive,

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<sup>35</sup> Limited English Proficiency – A Federal Interagency Website available at <http://www.lep.gov/faqs/faqs.html#OneQ9>).

<sup>36</sup> U.S. Census Bureau, American Fact Finder available at <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>.

four-factor analysis. However, failure to provide written translations under the safe harbor provisions does not necessarily mean there is non-compliance.

Due to the current budgetary restrictions, it may be extremely challenging for the Nevada courts to provide translations with traditional human based resources. The courts may explore the idea of machine translation, even though such translation is not an ideal solution due to the lack of accuracy. Online tools<sup>37</sup> should be used only as a first step in translating simple sentences, words, and concepts. Though they can be of help in communicating with LEP customers, they should not be the only means of providing this assistance and should be reviewed and corrected by a speaker of the target language.

Furthermore, it is important for each Nevada court to let LEP persons know that its services are available to them and that they are free of charge. This notice should be provided in a language LEP persons will understand. Examples of notification that courts should consider include posting signs in intake areas and other entry points. For instance, signs could state that free language assistance is available. The signs should be translated into the most common languages encountered, and they should explain how to get the language help.

## **12. TRAINING AND TECHNICAL ASSISTANCE**

### **A) Information Provided to Judges and Court Personnel**

The Certified Court Interpreter Program initiates regular communications with Nevada judges, court administrators, and other court personnel in order to inform and provide them with resources regarding the delivery of language services, as well as recent and significant updates associated with the issue of language access in the courts. The Program utilizes a variety of ways to deliver the message including: official letters, Program Coordinator's personal visits to courts, training sessions during judicial conferences and seminars, Judicial Bench Card, and web site.

Since 2008, the Program Coordinator has frequently visited courts and met with judges from limited and general jurisdictions, court administrators as well as clerks, and other court personnel to discuss concerns and challenges (i.e., the issue of last minute interpreter requests and coverage in remote areas) and answer any questions that the courts had about language assistance. The Program Coordinator supplies the courts with informational binders and other

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<sup>37</sup> a) [Google Translator Toolkit](#) – tool for document translation, managing translation projects, online collaboration, and including features such as multi-lingual glossaries, and translation memories;

b) <http://www.freetranslation.com/> – translation available between English and Italian, Dutch, Portuguese, Russian, Spanish and Chinese

c) <http://translation2.paralink.com/> – translation available between English and French, German, Portuguese, Russian and Spanish;

d) [http://www.worldlingo.com/en/products\\_services/worldlingo\\_translator.html](http://www.worldlingo.com/en/products_services/worldlingo_translator.html) – translation available between English and all languages listed in AltaVista above.

helpful material during her visits. Understandably, the rural courts, especially, have to tackle the issue being able to provide interpreter coverage that is sufficiently abundant and properly trained. Remote video interpreting technology may be a positive solution to this problem.

The Program coordinator also presented a session about the court interpreter profession and how to effectively work with interpreters in Nevada courtrooms at the Clark Regional Judicial Council meeting in 2008. The document entitled *'Useful Tips for Judges and Court Personnel'* (see Attachment III) was created and distributed. Additionally, the *'Languages by Countries'* document (see Attachment IV) has been produced and both of these documents have been posted on the Supreme Court's web page<sup>38</sup>.

The AOC June 2008 email newsletter distributed to all Nevada judges and court personnel featured the subject matter of court interpreting as well as useful tips for judges and court personnel when working with interpreters.

In November 2008, the Program Coordinator was invited to deliver training to new District Court Judges on the topic of how to work with the court interpreters. The presentation included items such as the overview of the program, specific tips concerning how to achieve a quality interaction in the courtroom with those who have Limited English Proficiency (LEP), and several practical exercises on the shadowing technique for simultaneous and the consecutive mode of interpretation.

A seminar course "Court Interpreters and Cultural Competence" was presented by the Program Coordinator and other faculty at the Limited Jurisdiction Judges Winter Seminar in January 2009. The keys to assessing interpreter performance plus some of the cultural issues that may hinder equal access to justice for LEP persons were highlighted.

A newly redesigned Court Interpreters' Web Page was officially launched in January 2010. This launch has improved the Program's visibility and interaction with its consumers. The web page (<http://www.nevadajudiciary.us/index.php/courtinterpreterprogram>) is simple and concise, user-friendly, and addresses three major groups of users: interpreters, judges and court administrators, and public.

One of interactions between the Program and the Nevada judicial community was a letter addressed to all Nevada judges and court administrators that was sent in the fall of 2010. The basis of the letter was two-fold: to ensure awareness of the existence of federal mandates, as well as guiding principles when servicing the LEP community in our state judicial setting, and the obligation of Nevada courts that receive federal financial assistance to provide oral interpretation, written

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<sup>38</sup> 'For Judges and Court Administrators' web link available at <http://www.nevadajudiciary.us/index.php/forjudges>.

translation, and other language services to people who are LEP. A copy of the *'Language Access in State Courts'*<sup>39</sup> publication authored by Laura Abel from the Brennan Center for Justice at New York University School of Law, the *United States v. Bailon-Santana*<sup>40</sup> case decided by a Panel of the Ninth Circuit Court of Appeals, the Nevada Supreme Court case *Ouanbengboune v. State*<sup>41</sup>, a copy of the letter sent by Thomas E. Perez, Assistant Attorney General for the Civil Rights Division at the United States Department of Justice addressed to members of the Conference of Chief Justices and the Conference of State Court Administrators<sup>42</sup>, the *"Language Identification Guide"*<sup>43</sup> known as "I speak" cards have been appended to the above mentioned letter as practical and usable resources.

The Certified Court Interpreter Program Coordinator, in conjunction with members of the Advisory Committee and other AOC staff, developed a survey in the fall of 2010, which queried Nevada judges regarding a variety of subjects pertaining to court interpreter issues. The survey was opened on November 8, 2010, and 73 judges provided their feedback. Data was confidentially collected and analyzed, and a Survey Evaluation Report was prepared and is available on the court interpreter program website.

The survey also asked about interest in a Judicial Bench Card (Card), which could contain the Court Interpreters Code of Professional Ethics cannons, sample interpreter oath, sample voir dire questions or other related information. A large number of respondents, 84 percent, indicated that they would welcome such a tool and the *'Judicial Bench Card – Working with Foreign Language Interpreters in Courts'*<sup>44</sup> was created and distributed (See Attachment II).

Another result of the aforementioned survey was the creation and implementation of a *Rural Court Interpreter Scholarship*<sup>45</sup> (See Attachment V).

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<sup>39</sup> Brennan Center For Justice, Language Access in State Courts Publications available at [http://www.brennancenter.org/content/resource/language\\_access\\_in\\_state\\_courts/](http://www.brennancenter.org/content/resource/language_access_in_state_courts/).

<sup>40</sup> Online publication available at <http://www.ca9.uscourts.gov/datastore/opinions/2005/12/05/0450079.pdf>.

<sup>41</sup> Online information available at <http://caseinfo.nvsupremecourt.us/public/caseView.do?csIID=12614>.

<sup>42</sup> Limited English Proficiency, A Federal Interagency Website available at [http://www.justice.gov/crt/lep/guidance/guidance\\_index.html](http://www.justice.gov/crt/lep/guidance/guidance_index.html).

<sup>43</sup> Online version available at [www.justice.gov/crt/cor/Pubs/ISpeakCards.pdf](http://www.justice.gov/crt/cor/Pubs/ISpeakCards.pdf).

<sup>44</sup> Publications such as "Model Guides for Policy and Practice in the State Courts" issued by the National Center for State Courts, "Fundamentals of Court Interpretation – Theory, Policy and Practice" authored by Roseann Dueñas Gonzalez, as well as the Department of Justice's (DOJ) and National Association of Judiciary Interpreters and Translators (NAJIT) web page resources were carefully reviewed. Furthermore, several member states of the Council of Language Access Coordinators (CLAC), such as Minnesota, Washington State, Ohio, and New York have already developed their Judicial Bench Cards, and these were consulted as well.

<sup>45</sup> 'For Judges and Court Administrators' web link on the Court Interpreters' Program web page available at <http://www.nevadajudiciary.us/index.php/forjudges>.

The scholarship program requires that applicant interpreter candidates have a pre-existing relationship with their sponsoring rural court, and that the sponsoring rural court collaborate on submitting the application for a scholarship to AOC. An interpreter candidate who accepts this scholarship makes a commitment to continue to develop a positive working relationship with his or her sponsoring rural court in order to provide appropriate language services to the limited English proficient litigants who appear before that court. Additionally, an interpreter candidate who accepts said scholarship will commit to undergoing the certification process to its full extent, including the oral performance exam, if it is available in the candidate's chosen language. The Certified Court Interpreter Orientation Workshop and Written Examination/Oral Exam Scholarship Form has been disseminated to all NV rural courts administrators/judges.

The survey also found that one of the ways to improve judges' understanding of court interpreting and its complexities is by educational outreach. Respondents were queried on their preference as to the frequency of training on court interpreter related topics. More than one-half of the respondents expressed a desire to be exposed to court interpreters' education every 2 years. Several respondents underscored the importance of providing training to newly appointed and elected Nevada judges. They indicated that the AOC has organized much useful training in the past<sup>46</sup> that would be beneficial again in the future. The Court Interpreter Program Coordinator has partnered with the Judicial Education Unit and nationally recognized experts on Title VI compliance to design a curriculum for judges and court personnel on language access issues. The content will include the approved and recommended sources of interpretation: certified/registered in-person interpreters and/or remote telephonic interpretation, materials created for the judges on interpreting, the role of bilingual employees, and the role of family members or friends as interpreters.

In April 2012, the Program Coordinator was invited to present the topic "Working with Court Interpreters" at the National Association of Administrative Law Judiciary and the National Judicial College Mid-Year Conference in Reno, Nev. Additionally, Judge Valorie Vega and Andrea Krlickova gave a presentation entitled "Training of Judicial Personnel," which focused on previous efforts in Nevada for in-person judicial trainings, the judges' survey on language assistance issues, written communications, and web page updates at the National Summit on Language Access in the Courts, October 1-3, 2012, in Houston<sup>47</sup>, Texas.

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<sup>46</sup> Past judge's geared educational trainings included topics such as "You are in Control: The Role of Interpreters in the Courts" (September 2003), "Hispanic Culture and Nevada Courts" (June 2005), "Defining Roles and Assuring Justice: The Judge and the Court Interpreter" (June 2005), "Meeting the Needs of Limited English Proficiency – Individuals in Your Courts" (March 2006).

<sup>47</sup> <http://www.ncsc.org/Newsroom/News-Releases/2012/Leaders-Conclude-National-Summit-on-Language-Access-in-the-Courts.aspx>.

Additionally, the Administrative Office of the Courts works to maintain lines of communication regarding the provision of language services with the County Clerks<sup>48</sup> by providing information about the purpose of the Program, the Nevada Court Interpreters' Roster, and other language providers in case no in-person interpreter is available (e.g. Language Line Services), as well as other resources available for their use. Additional potential educational opportunities are being considered in order to aid Nevada court clerks and staff to effectively interact with LEP individuals in their courts.

## **B) Information Provided to Attorneys/Other Stakeholders**

In 2008, ACTION organized a court interpreter training class for the Clark County District Attorney's Office where the Program Coordinator spoke about the certification/registration process, what it entails, and the strategies for successful interaction with court interpreters.

The State of Nevada Foreclosure Mediation Program (FMP)<sup>49</sup> was created during the 2009 session of the Nevada Legislature. The FMP applies to residential properties located in Nevada that are owner-occupied primary residences. The Certified Court Interpreter Program has been involved with the FMP's efforts to become accessible to all LEP individuals in Nevada. FMP informational flyers and other pertinent information were translated into Spanish. Pursuant to Rule 13 titled Interpreter Services *"Any party requiring interpreter services is responsible for contacting, scheduling, and ensuring an interpreter is present for mediation."* The Certified Court Interpreter Program Coordinator collaborates with the FMP management regularly. A few practical outcomes were a direct result: the 2010 Mediator Training event featuring topics such as culture and cultural differences, skills and abilities necessary for court interpreting, the NV Code of Professional Responsibility and practical tips when working with language interpreters and the *Bench Card for Mediators – Working with Interpreters*<sup>50</sup>.

The list of resources helpful to Nevada legal community has been compiled and posted online at <http://www.nevadajudiciary.us/index.php/for-attorneys-and-other-legal-practitioners>. These resources provide ideas about successful communication when services of a court interpreter are needed. They have been carefully selected from a wide array of publically available sources, including but not limited to, the American Bar Association (ABA), the U.S. Department of Justice – Federal Coordination and Compliance Section, the National Association

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<sup>48</sup> The county clerks serve as the district court clerks in most of Nevada's counties.

<sup>49</sup> Nevada Foreclosure Mediation Program (FMP) available at <http://foreclosure.nevadajudiciary.us/>.

<sup>50</sup> The *Bench Card for Mediators – Working with Interpreters* is available at <http://foreclosure.nevadajudiciary.us/index.php/documents-and-forms/general-documents>.



of Judiciary Interpreters and Translators (NAJIT), the State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program, etc., to effectively assist the Nevada legal community when working with a growing LEP population in Nevada.

New types of educational forums will continue to be explored; the Program will encourage existing and potential users of court interpreter services to seek ways to mutually interact to better understand needs and communication complexities with LEP individuals and communities in Nevada.

### **13. COMMUNITY OUTREACH**

Community outreach is important to the continued success of the Certified Court Interpreters' Program. The Program's effort to connect with Nevada interpreters, judiciary, and immigrant communities has increased in past years. The Program Coordinator plans not only to maintain an established course of engagement and interaction with agencies/entities such as the Council of Language Access Coordinators (CLAC)<sup>51</sup>, Nevada Interpreters and Translators Association (NITA)<sup>52</sup>, Human Rights Campaign – “Ya Es Hora – ¡Ciudadanía!”<sup>53</sup>, Truckee Meadows Community College (TMCC), University of Nevada Las Vegas (UNLV), College of Southern Nevada (CSN), Hispanic-American Partnership, Inc. (HAPI), Office of Fair Housing and Equal Opportunity<sup>54</sup>, and Nevada Spanish language Radio Stations, but to also seek new opportunities to expand the Program's visibility and its educational outreach to new levels.

In November 2009 and April 2011, the Nevada Certified Court Interpreters' Program hosted the CLAC Professional Interpreter Workshops. Both events drew participants from across the nation. The sessions were language-neutral and language-specific, opened to both sign and spoken language interpreters, and appropriate for all skill levels. For instance, the presentations included “*Beyond Negrón: Interpreted Cases and Appellate Decisions*”, and “*Terminology: Foreclosure Mediation*”.

The Nevada Interpreters and Translators Association (NITA) is a non-profit organization, officially founded in 2008. The membership consists of an enthusiastic and diverse group of language professionals, all working together in pursuit of the highest language service standards for all stakeholders involved. The Program partnered with NITA in December 2009 and in September 2010. The purpose of these two collaborative efforts was to educate interpreters by offering an overview of the recent history of court

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<sup>51</sup> Council of Language Access Coordinators (CLAC)' web page available at <http://www.ncsc.org/Education-and-Careers/State-Interpreter-Certification.aspx>.

<sup>52</sup> Nevada Interpreters and Translators Association (NITA) available at <http://www.nitaonline.org/>.

<sup>53</sup> <http://ciudadania.yaeshora.info/english>

<sup>54</sup> <http://portal.hud.gov/hudportal/HUD?src=/states/nevada>

interpreting, centering on the Nuremberg Trials and by informing potential court interpreters about the steps required for the credentialing process. Additionally, the Program Coordinator is one of the regular contributors of “e-NITA Newsletter” publication where articles about the court interpreter credentialing process and the art of legal translation were featured.

The Program Coordinator has been closely involved with the “Ya Es Hora – ¡Ciudadanía!” civic engagement and continuing partnerships with the Latino/a community since 2010. The central idea of this outreach is to help legal permanent residents fill out their N-400 applications for citizenship where experienced organizers, volunteer attorneys, and credentialed court interpreters are present to assist.

One of the latest forms of community outreach in Southern Nevada was an interaction with the students of the UNLV (Department of Foreign Languages) and CSN as well as appearances at the Las Vegas radio station KRLV 1340 AM. The students were interested in knowing about how to pursue the profession of court interpreting, what type of courses to take in order to succeed with certification testing, what is the career’s job market, and what kind of compensation a prospective interpreter may expect. The Spanish-language listeners were interested in knowing details regarding the Program’s credentialing process, and what type of knowledge, skills, and abilities are necessary to successfully pass the required examinations to become a Spanish language certified court interpreter.



**Table 3.** *List of Certified Court Interpreter Program Educational Activities and Outreach*

<b>DATE</b>	<b>CERTIFIED COURT INTERPRETER PROGRAM EDUCATIONAL EVENTS &amp; OUTREACH</b>
September 2003	<i>“You Are in Control: The Role of Interpreters in the Courts”</i>
June 2005	<ul style="list-style-type: none"> <li>• <i>“Hispanic Culture and Nevada Courts”</i></li> <li>• <i>“Defining Roles and Assuring Justice: The Judge and The Court Interpreter”</i></li> </ul>
March 2006	<i>“Meeting the Needs of Limited English Proficiency (LEP) – Individuals in Your Courts”</i>
April 2008	<i>5-day Northern Nevada Courts Visit</i>
May 2008	<i>“Working With Court Interpreters” – Clark County Regional Council</i>
June 2008	<i>“Voice of Understanding” – Clark County District Attorney’s Office</i>
November 2008	<i>“New Judge Orientation – Overview of Nevada Certified Court Interpreter Program and How to Work with Court Interpreters”</i>
January 2009	<i>“Court Interpreters and Cultural Competency”</i>
October 2009	<i>“Nevada Welcomes The Kazakhstani Judges Delegation”</i>
December 2009	<i>“Modern History of Court Interpretation: the Nuremburg Trial of Nazi War Criminals”</i>
March 2010	<i>“Foreclosure Mediation Program – New Mediator Orientation”</i>
April 2010	<i>NITA Newsletter</i>
May 2010	<i>Thai Judges Visit of Nevada Supreme Court – Educational Newsletter</i>
June 2010	<i>5-day Southern Nevada Courts Visit</i>
June 2010	<i>NITA Newsletter</i>
September 2010	<i>Nevada Certified Court Interpreter Program Overview for NITA</i>
October 2010	<i>NITA Newsletter</i>
April 2011	<ul style="list-style-type: none"> <li>• <i>“BEYOND NEGRON: Interpreted Cases and Appellate Decisions”</i></li> <li>• <i>“Foreclosure Mediation Terminology for Court Interpreters”</i></li> </ul>
April 2011	<i>5-day Rural Nevada Courts Visit</i>
October 2011	<i>NITA Newsletter</i>
February 2012	<i>“Ya Es Hora – ¡Ciudadanía!”</i>
April 2012	<i>“Working with Court Interpreters” – National Judicial College</i>
April 2012	<i>“Ya Es Hora – ¡Ciudadanía!”</i>
May 2012	<i>“How to Become an Interpreter for Nevada Courts” – CSN, Department of Spanish</i>
October 2012	<i>“Training Judges and Court Personnel” – National Summit on Language Access in the Courts</i>
December 2012	<i>“New Judges Orientation – Working with Spoken Language Interpreters”</i>



## 14. COMMENT/COMPLAINT PROCESS

### A) General Comments/Complaints

Any comments or complaints regarding language access and services may be directed to the Office of the State Court Administrator located at 201 South Carson Street, Suite 250, Carson City, Nevada 89701 for review.

Similarly, the Office of the State Court Administrator shall maintain a record of feedback received and any resolution based on LEP individual's comments or suggestions.

### B) Formal Comments/Complaints

Complaints about Nevada credentialed court interpreters (certified/registered) who have allegedly engaged in unethical or unprofessional conduct in the course of performing their interpreter duties should be similarly reported.

A form for filing complaints against Nevada credentialed court interpreters is available on the Supreme Court's website at

<http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/9409/>.

Pursuant to the State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program, Appendix III, disciplinary complaints may be filed against interpreters who have been credentialed (certified/registered) by the State of Nevada through the Court Interpreter Certification Program for the reasons enumerated in the provision <sup>155</sup>.

*'Any person may initiate a complaint by filing it with the Administrative Office of the Courts (AOC). All complaints shall be directed to the State Court Administrator or the administrator's designee. All complaints must be in writing on a Complaint Form provided by the AOC<sup>56</sup>, must be signed, must be submitted within 180 days from the date of the alleged disciplinary breach, and must describe the alleged inappropriate conduct. Upon receipt of a complaint, the State Court Administrator or the administrator's designee will review the complaint to determine its merit.'*

Additional procedural guidelines pertaining to the Disciplinary Process are clearly delineated in the State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program, Appendix III.

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<sup>55</sup> State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program available at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/9410/>.

<sup>56</sup> The Form is available at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/9409/>.

## **15. REVISIONS**

This LAP shall be revised when deemed appropriate and necessary by the Supreme Court, State Court Administrator, Certified Court Interpreter Advisory Committee, and/or the Program Coordinator.

EFFECTIVE DATE: *December 6, 2013*

## **16. STATE CONTACT PERSON:**

Andrea Krlickova  
*Court Services Analyst*  
Certified Court Interpreter Program  
Administrative Office of the Courts  
Regional Justice Center  
200 Lewis Avenue, 17<sup>th</sup> floor  
Las Vegas, Nevada 89101

Ph. # (702) 486-9332  
Fax# (702) 486-3733  
E-mail: [akrlickova@nvcourts.nv.gov](mailto:akrlickova@nvcourts.nv.gov)

## APPENDIX I – VOIR DIRE SAMPLES

### A. ***SUGGESTED VOIR DIRE TO DETERMINE QUALIFICATIONS OF A PROPOSED INTERPRETER***

Before appointing a non-certified interpreter, the appointing authority shall make a finding that the proposed non-certified/non-registered interpreter appears to have adequate language skills, knowledge of interpreting techniques, familiarity with interpreting in a court or administrative hearing setting, and that the proposed non-certified/non-registered interpreter has read, understood, and agreed to abide by Nevada's Code of Professional Responsibility. The decision to appoint a non-certified/non-registered interpreter is one left to the discretion of the trial court judge; and the judge should enter the findings on the record after *voir dire* of the proposed interpreter. Asking open-ended questions will assist the court in evaluating the level of expertise in English and communication skills of the interpreter. The following questions are some suggestion for the court's use.

➤ **Ethical Considerations**

1. Are you a potential witness in this case?
2. Do you know or work for any of the attorneys, parties, or witnesses in this case?
3. Have you read and understood the Code of Professional Responsibility for Nevada Court Interpreters? Do you agree to abide by that code?
4. Have you ever been disciplined for conduct that violates the Code of Professional Responsibility approved by the Nevada Supreme Court, another state judiciary, or any professional interpreters or translators association? If so, why?

➤ **Communicative Compatibility**

1. Have you had an opportunity to speak with the person for whom you will be interpreting?
2. Did you have any difficulty understanding everything that the person said?
3. Do you speak the same language?
4. Does that person have any dialectal or idiomatic peculiarities that you do not understand or which you cannot interpret into English? Are you able to communicate despite these idiosyncrasies?

➤ **Knowledge of the Languages and General Education**

1. How did you learn English?
2. Have you formally studied the English language in school or college? If so, please describe.
3. Do you need any time to review any documents in this case?
4. How did you learn [*the foreign language*]?
5. Have you formally studied [*the foreign language*] in school or college? If so, please describe.
6. What is the highest grade or degree you completed?

➤ **Interpreting and Translating Skills**

1. Have you passed any accreditation or certification exams for interpretation or translation? If so, please describe.
2. Are you a member in good standing of any professional associations of interpreters or translators? If so, please identify them.
3. Do you attend meetings, conferences, and other gatherings of professional interpreters and translators? If so, please describe how often.
4. Have you ever interpreted in Nevada's jurisdiction? If so, please state when and for what types of proceedings.
5. Have you ever been disqualified or removed from interpreting in any court or administrative proceedings? If so, why?

If the trial court judge is satisfied that the proposed interpreter has the skills and knowledge to perform the duties of court interpreter, the judge should make such findings on the record and have the interpreter sworn in open court.

**B. *SUGGESTED VOIR DIRE FOR DEFENDANT REQUESTING A LANGUAGE OF LIMITED DIFFUSION***

1. Please tell me where you were born (country and city or town).
2. What is the official language of the country where you were born?
3. Please describe your formal education. (Did you attend school? Where? For how long?)
4. What was the highest grade you completed in school?
5. What was the language of instruction in school?
6. Can you read and write your native language? Do you read and write English?
7. What language(s) do you speak at home? If you have children, in what languages do you speak to them?
8. Do you read books regularly? In what languages do you read?
9. Do you regularly read any newspaper or magazines? Of what language(s)?
10. Do you watch television? In what language are the shows you watch?
11. Do you listen to the radio regularly? In what language is the program?
12. How have you communicated with your attorney in the pretrial phase of this case? Have you had any communication problems?
13. When you have appeared in court before in this case, has an interpreter been provided for you?
14. Have you requested previously that an interpreter be provided for you?
15. Have you gone over and discussed the discovery material with your attorney? (If yes, in what language?)
16. In what year and at what age did you arrive to live in the USA?
17. Do you have a job? What language do you routinely speak at work?
18. If you think you need an interpreter, do you understand that the role of an interpreter is not to “*explain*” the proceedings but to repeat what is said in the courtroom in another language?

## APPENDIX II – JUDICIAL BENCH CARD

### BENCH CARD FOR NEVADA JUDGES

The Supreme Court of Nevada

Certified Court Interpreters' Program



#### Introduction and Disclaimer

Title VI of the Civil Rights Act of 1964, the Omnibus Crime Control and Safe Streets Act of 1968, and Executive Order 13166 emphasize the provision of competent interpreter services in both criminal and civil proceedings free of cost to the limited English proficient (LEP) person.

**There are a number of questions surrounding the provision of interpreter services in the state courts that are being asked at both the federal and state levels at this time. These questions arise primarily from the U.S. Department of Justice's interpretation of how Title VI of the Civil Rights Act of 1964, the Omnibus Crime Control and Safe Streets Act of 1968, and Executive Order 13166 apply to states that receive any federal funding assistance.**

There is no clear statutory guidance or existing case law that fully satisfies these questions, and all judges are encouraged to undertake their own analysis of information in this area and to refer to the letters that Justice Michael L. Douglas sent to all Nevada judges dated August 16, 2011, and Chief Justice Michael A. Cherry on November 7, 2012.

The information provided in the bench card does not constitute legal advice and information contained herein should not be relied upon as providing any specific authority, requirement, or authorization. A wide variety of resources authored by the National Center for State Court, National Association of Judiciary Interpreters and Translators, Council of Language Access Coordinators and its member states and judicial branches have been consulted and used. The Nevada Supreme Court and its officers, employees, or agents shall not be liable for any damages whatsoever arising from or due to the use, misuse, interpretation, application, or reliance upon this publication.

#### Explain the Role of the Court Interpreter

It is important that the individual who needs an interpreter understands the role of the interpreter. Here are some basic points which may help ensure this understanding. You may instruct the individual, through the interpreter, as follows:

- **An interpreter's role is to listen to what is said in the courtroom in English and subsequently to interpret it accurately and completely into the target language.**
- **The interpreter cannot give advice, make suggestions, or engage in private conversation with the person needing the interpreter.**
- **The person should raise a hand if s/he has a question or does not understand something during the proceeding.**
- **The interpreter can only interpret for one person at a time, so please do not speak or interrupt while someone is testifying or speaking.**
- **The interpreter can only interpret testimony that is spoken, so all responses must be verbal.**

You, as a judge are reminded to speak at a slower but steady pace, and make eye contact occasionally with the interpreter to gauge whether your pace is appropriate. A slower pace is especially important when stating dates, numbers, figures, or highly technical vocabulary.

You may locate the regularly updated list of all Nevada credentialed court interpreters (certified and registered) on the Supreme Court's web page at <http://www.nevadajudiciary.us/index.php/nvcourtintroster>.

#### Determination of the Language Spoken

If the court needs to determine the language spoken by the limited English proficient individual, the Language Identification Flashcards developed by the U.S. Census Bureau (I SPEAK CARDS) available at [http://www.michigan.gov/documents/mdot/mdot\\_ISpeak\\_Language\\_Identification\\_FlashCards\\_363416\\_7.pdf](http://www.michigan.gov/documents/mdot/mdot_ISpeak_Language_Identification_FlashCards_363416_7.pdf) may be consulted. The LEP person can properly identify the language he/she speaks by checking or pointing the specific box. Once this issue has been addressed, a court interpreter may be appointed.

#### Appointment of an Interpreter

The more complex, difficult, or legally significant assignments should be served by certified interpreters, whenever possible. This decision is left to the discretion of the judge considering the gravity of the offense involved, and the abilities of the person or persons available to interpret. Examples of the complex matters that ought to be served by credentialed interpreters are:

- Capital trials
- Criminal trials where potential penalties include significant terms of incarceration
- Criminal trials with decisions that might be used in the future for enhancement purposes
- Civil trials with highly technical terminology.

For more information, please review the State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program available at [http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func\\_startdown9410/](http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func_startdown9410/).



# BENCH CARD FOR THE NEVADA JUDGES

The Supreme Court of Nevada

Certified Court Interpreters' Program

## Sample Voir Dire to Determine Interpreter Qualifications

### Ethical Considerations

- Are you a potential witness in this case?
- Do you know or work for any of the attorneys, parties, or witnesses in this case?
- Have you read and understood the Code of Professional Responsibility for Nevada Court Interpreters (available at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/619/>)? Do you agree to abide by that code?
- Have you ever been disciplined for conduct that violates the Code of Professional Responsibility approved by the Nevada Supreme Court, another state judiciary, or any professional interpreters or translators association? If so, why?

### Communicative Compatibility

- Have you had an opportunity to speak with the person for whom you will be interpreting?
- Did you have any difficulty understanding everything that the person said?
- Do you speak the same language?
- Does that person have any dialectal or idiomatic peculiarities that you do not understand or which you cannot interpret into English? Are you able to communicate despite these idiosyncrasies?

### Knowledge of the Languages and General Education

- How did you learn English?
- Have you formally studied the English language in school or college? If so, please describe.
- Do you need any time to review any documents in this case?
- How did you learn [the foreign language]?
- Have you formally studied [the foreign language] in school or college? If so, please describe.
- What is the highest grade or degree you completed?

### Interpreting and Translating Skills

- Have you passed any accreditation or certification exams for interpretation or translation? If so, please describe.
- Are you a member in good standing of any professional associations of interpreters or translators? If so, please identify them.
- Do you attend meetings, conferences, and other gatherings of professional interpreters and translators? If so, please describe how often.
- Have you ever interpreted in Nevada's jurisdiction? If so, please state when and for what types of proceedings?
- Have you ever been disqualified or removed from interpreting in any court or administrative proceedings? If so, why?

If the court is satisfied that the proposed interpreter has the skills and knowledge to perform the duties of court interpreter, the court should make such findings on the record and have the interpreter sworn in open court.

## How Do I Determine that a Person Needs Services of an Interpreter?

A court official should presume a need for a foreign language interpreter when a pro se litigant indicates a party or a witness requests an interpreter. If a request for an interpreter is not made, but it appears a party or witness has limited English proficiency, a judge should ask the following questions on the record to assess the need for an interpreter.

## Sample Questions to Assess the English Proficiency of a Party or Witness

(Please avoid questions easily answered with "yes" or "no" replies.)

1. Please tell the court your name.
2. How did you come to court today?
3. How did you learn English?
4. Please tell me about your country.
5. Describe what you see in this courtroom.
6. What is the purpose of your court appearance today?
7. In what language do you feel the most comfortable speaking and communicating?
8. You have the right to a court-appointed interpreter free of charge. Would you like the court to provide an interpreter in that language to assist you to communicate and to understand what is being said?

If the person has difficulty answering these simple questions, an interpreter is recommended. Presumably, a person unable to answer these questions is unable to communicate well in high-stress matters involving legal terminology.

## Interpreter's Oath

All interpreters should be placed under oath. Placing the interpreter's appearance on the record underscores the importance of adhering to the principles of proper court interpreting. Additionally, when the interpreter states his or her name, it is a good opportunity to inquire whether any party knows the interpreter. This question can eliminate potential conflicts or the appearance of impropriety.

**Sample interpreter oath:** *"Do you solemnly swear or affirm that you will interpret accurately, completely, and impartially, use your best skills and judgment in accordance with the standards prescribed by law and follow all official guidelines established by this court for legal interpreting or translating, and discharge all of the solemn duties and obligations of legal interpretation and translation?"*

### **For additional assistance, please contact:**

Administrative Office of the Courts, Certified Court Interpreter Program, 200 Lewis Ave., 17<sup>th</sup> Floor, Las Vegas, NV 89101  
(702) 486-9332

<http://www.nevadajudiciary.us/index.php/courtinterpreterprogram>



## APPENDIX III – USEFUL TIPS FOR JUDGES AND COURT PERSONNEL

1. **DO** speak in the 1st person.  
(**DO NOT** say “Ask the witness if...” or “Tell him that...”)
2. **DO** try to simplify legal language.  
(**DO NOT** use complicated terms.)
3. **DO** speak and assure that others speak at a volume and rate that can be accommodated by the interpreter.  
(**DO NOT** speak at your normal rate, especially for dates and numbers.)
4. **DO** make certain that the interpreter can easily hear and see the proceedings.  
(**DO NOT** put them in the corner or out of the way.)
5. **DO** your best to assure only one person speaks at a time.  
(**DO NOT** speak when others are speaking.)
6. **DO** allow interpreter to take notes and use a dictionary during a hearing.  
(**DO NOT** require interpreters to work unaided.)
7. **DO** allow breaks for the interpreter between or during cases.  
(**DO NOT** have uninterrupted sessions that makes the interpreter exhausted.)
8. **DO** assure that the interpreter can effectively communicate with the client.  
(**DO NOT** assume that everyone who comes from the same country speaks the same language or that everyone who speaks the same language can understand each other well – think about the difference among English speaking person from England, Australia, and northeast or southern United States.)
9. **DO** provide interpreters with copies of pleadings and/or documents to view ahead of time.  
(**DO NOT** assume that unprepared sight translation is easy. **DO NOT** presume that the interpreter will be prepared for case-specific technical vocabulary.)
10. **DO** note any concerns about the quality of interpreting on the record.  
(**DO NOT** address these concerns only outside of proceeding.)
11. **DO** confirm that interpreter has no conflicts of interest.  
(**DO NOT** allow an interpreter to continue if potential conflict of interest exist.)

12. **DO** contact the court interpreter scheduler or, if appropriate, the Court Interpreter Program coordinator (Andrea Krlickova @ 702/486-9332 or [akrlickova@nvcourts.nv.gov](mailto:akrlickova@nvcourts.nv.gov)) about any interpreter concerns.  
(**DO NOT** fail to disclose information about interpreter misconduct.)
13. **DO** check into the qualifications of the interpreter – certified interpreters have a Supreme Court ID card with their picture and unique ID number as proof they are certified.  
(**DO NOT** assume that the interpreter is court certified.)

## APPENDIX IV – LANGUAGES BY COUNTRIES

AFGHANISTAN	<b>Dari Persian &amp; Pashto</b> (both official); other Turkic and minor languages
ALBANIA	<b>Albanian</b> , Greek
ALGERIA	<b>Arabic</b> (official), French, Berber dialects
ANDORRA	<b>Catalan</b> (official), French, Spanish, Portuguese
ANGOLA	<b>Portuguese</b> (official), Bantu and other African languages
ANTIGUA and BARBUDA	<b>English</b> (official), local dialects
ARGENTINA	<b>Spanish</b> (official), English, Italian, German, French
ARMENIA	<b>Armenian</b> 98%, Yezidi, Russian
AUSTRALIA	<b>English</b> 79%, native and other languages
AUSTRIA	<b>German</b> (official nationwide); Slovene, Croatian, Hungarian (each official in one region)
AZERBAIJAN	<b>Azerbaijani Turkic</b> 89%, Russian 3%, Armenian 2%, other 6%
BAHAMAS	<b>English</b> (official), Creole (among Haitian immigrants)
BAHRAIN	<b>Arabic</b> , English, Farsi, Urdu
BANGLADESH	<b>Bengali</b> or <b>Bangla</b> (official), English
BARBADOS	<b>English</b>
BELARUS	<b>Belorussian</b> , Russian, other
BELGIUM	<b>Dutch (Flemish)</b> 60%, <b>French</b> 40%, <b>German</b> less than 1% (all official)
BELIZE	<b>English</b> (official), Spanish, Mayan, Garifuna, Creole
BENIN	<b>French</b> (official), Fon, Yoruba, tribal languages
BHUTAN	<b>Dzongkha</b> (official), Tibetan dialects (among Bhotes), Nepalese dialects (among Nepalese)
BOLIVIA	<b>Spanish, Quechua, Aymara</b> (all official)
BOSNIA and HERZEGOVINA	<b>Bosnian, Croatian, Serbian</b>
BOTSWANA	<b>English</b> 2% (official), Setswana 78%, Kalanga 8%, Sekgalagadi 3%, other
BRAZIL	<b>Portuguese</b> (official), Spanish, English, French
BRUNEI	<b>Malay</b> (official), English, Chinese
BULGARIA	<b>Bulgarian</b> 85%, Turkish 10%, Roma 4%
BURKINA FASO	<b>French</b> (official); native African (Sudanic) languages 90%
BURUNDI	<b>Kirundi and French</b> (official), Swahili
CAMBODIA	<b>Cambodian</b> or <b>Khmer</b> 95% (official), French, English
CAMEROON	<b>French, English</b> (both official); 24 major African language groups

CANADA	<b>English</b> 60%, French 23% (both official); other
CAPE VERDE	<b>Portuguese, Crioulo</b>
CENTRAL AFRICAN REPUBLIC	<b>French</b> (official), Sango (national), tribal languages
CHAD	<b>French, Arabic</b> (both official); Sara; more than 120 languages and dialects
CHILE	<b>Spanish</b>
CHINA	<b>Standard Chinese</b> (Mandarin/Putonghua), Yue (Cantonese), Wu (Shanghainese), Minbei (Fuzhou), Minnan (Hokkien-Taiwanese), Xiang, Gan, Hakka dialects, minority languages
COLOMBIA	<b>Spanish</b>
COMOROS	<b>Arabic and French</b> (both official), Shikomoro (Swahili/Arabic blend)
CONGO	<b>French</b> (official), Lingala, Monokutuba, Kikongo, many local languages and dialects
COSTA RICA	<b>Spanish</b> (official), English
CÔTE D'IVOIRE	<b>French</b> (official) and African languages
CROATIA	<b>Croatian</b> 96% (official), other 4% (including Italian, Hungarian, Czech, Slovak, German)
CUBA	<b>Spanish</b>
CYPRUS	<b>Greek, Turkish</b> (both official); English
CZECH REPUBLIC	<b>Czech</b>
DENMARK	<b>Danish, Faroese, Greenlandic, German</b> ; English is the predominant second language
DJIBOUTI	<b>French and Arabic</b> (both official), Somali, Afar
DOMINICAN REP.	<b>Spanish</b>
EAST TIMOR	<b>Tetum, Portuguese</b> (official); Bahasa Indonesia, English; other indigenous languages, including Tetum, Galole, Mambae
ECUADOR	<b>Spanish</b> (official), Quechua, other Amerindian languages
EGYPT	<b>Arabic</b> (official), English and French widely understood by educated classes
EL SALVADOR	<b>Spanish, Nahua</b> (among some Amerindian languages)
EQUATORIAL GUINEA	<b>Spanish, French</b> (both official); pidgin English, Fang, Bubi, Ibo
ERITREA	<b>Afar, Arabic, Tigre and Kunama, Tigrinya, other Cushitic languages</b>
ESTONIA	<b>Estonian</b> 67% (official), Russian 30%, other
ETHIOPIA	<b>Amharic, Tigrinya, Orominga, Guaragigna, Somali, Arabic, English</b> , over 70 others
FIJI	<b>English</b> (official), Fijian, Hindustani
FINLAND	<b>Finnish</b> 92%, <b>Swedish</b> 6% (both official); small Sami and Russian speaking minorities

FRANCE	<b>French 100%</b>
GABON	<b>French</b> (official), Fang, Myene, Nzebi, Bapounou/Eschira, Bandjabi
GAMBIA	<b>English</b> (official), Mandinka, Wolof, Fula and other indigenous
GEORGIA	<b>Georgian</b> 71% (official), Russian 9%, Armenian 7%, Azerbaijani 6%, other 7%
GERMANY	<b>German</b>
GHANA	<b>English</b> (official), African languages (including Akan, Moshi-Dagomba, Ewe, and Ga)
GREECE	<b>Greek</b> 99% (official), English, French
GRENADA	<b>English</b> (official), French patois
GUATEMALA	<b>Spanish</b> 60%, Amerindian languages 40% (23 officially recognized Amerindian languages, including Quiche, Cakchiquel, Kekchi, Mam, Garifuna, and Xinca)
GUINEA	<b>French</b> (official), native tongues (Malinke, Susu, Fulani)
GUINEA-BISSAU	<b>Portuguese</b> (official), Criolo, African languages
GUYANA	<b>English</b> (official), Amerindian dialects, Creole, Hindi, Urdu
HAITI	<b>Creole</b> and <b>French</b> (both official)
HONDURAS	<b>Spanish</b> (official), Amerindian dialects; English widely spoken in business
HUNGARY	<b>Hungarian</b> (Magyar) 94%, other 6%
ICELAND	<b>Icelandic, English, Nordic languages</b> , German widely spoken
INDIA	<b>Hindi 30%, English, Bengali, Gujarati, Kashmiri, Malayalam, Marathi, Oriya, Punjabi, Tamil, Telugu, Urdu, Kannada, Assamese, Sanskrit, Sindhi</b> (all official); Hindi/Urdu; 1,600+ dialects
INDONESIA	<b>Bahasa Indonesia</b> (official), English, Dutch, Javanese, and more than 580 other languages and dialects
IRAN	<b>Persian and Persian dialects</b> 58%, <b>Turkic and Turkic dialects</b> 26%, <b>Kurdish</b> 9%, <b>Luri</b> 2%, <b>Balochi</b> 1%, <b>Arabic</b> 1%, <b>Turkish</b> 1%, other 2%
IRAQ	<b>Arabic</b> (official), <b>Kurdish</b> (official in Kurdish regions), Assyrian, Armenian
IRELAND	<b>English, Irish/Gaelic</b> (both official)
ISRAEL	<b>Hebrew</b> (official), Arabic, English
ITALY	<b>Italian</b> (official); German, French and Slovene-speaking minorities
JAMAICA	<b>English, Jamaican Creole</b>
JAPAN	<b>Japanese</b>
JORDAN	<b>Arabic</b> (official), English
KAZAKHSTAN	<b>Kazakh</b> (Quazaq, state language) 64%; <b>Russian</b> (official, used in everyday business) 95%

KENYA	<b>English</b> (official), Swahili (national), and numerous indigenous languages
KIRIBATI	<b>English</b> (official), I-Kiribati (Gilbertese)
NORTH KOREA	<b>Korean</b>
SOUTH KOREA	<b>Korean</b> , English widely taught
KUWAIT	<b>Arabic</b> (official), English
KYRGYZSTAN	<b>Kyrgyz, Russian</b> (both official)
LAOS	<b>Lao</b> (official), French, English, various ethnic languages
LATVIA	<b>Latvian</b> 58% (official), Russian 38%, Lithuanian, other
LEBANON	<b>Arabic</b> (official), French, English, Armenian
LESOTHO	<b>English, Sesotho</b> (both official); Zulu, Xhosa
LIBERIA	<b>English</b> 20% (official), some 20 ethnic-group languages
LIBYA	<b>Arabic</b> , Italian, and English widely understood in major cities
LIECHTENSTEIN	<b>German</b> (official), Alemannic dialect
LITHUANIA	<b>Lithuanian</b> 82% (official), Russian 8%, Polish 6%
LUXEMBOURG	<b>Luxembourgish</b> (national), French, German (both administrative)
MACEDONIA	<b>Macedonian</b> 67%, <b>Albanian</b> 25% (both official); Turkish 4%, Roma 2%, Serbian 1%
MADAGASCAR	<b>Malagasy and French</b> (both official)
MALAWI	<b>Chichewa</b> 57% (official), Chinyanja 13%, Chiyao 10%, Chitumbuka 10%, Chisena 3%, Chilomwe 2%, Chitonga 2%, other 3%
MALAYSIA	<b>Bahasa Melayu</b> (Malay, official), English, Chinese dialects (Cantonese, Mandarin, Hokkien, Hakka, Hainan, Foochow), Tamil, Telugu, Malayalam, Panjabi, Thai; several indigenous languages in East Malaysia
MALDIVES	<b>Maldivian Dhivehi</b> (official); English spoken by most government officials
MALI	<b>French</b> (official), Bambara 80%, numerous African languages
MALTA	Maltese and English (both official)
MARSHALL ISLANDS	<b>Marshallese</b> 98% (two major dialects from the Malayo-Polynesian family), <b>English</b> widely spoken as a second language (both official); Japanese
MAURITANIA	<b>Hassaniya Arabic</b> (official), Pulaar, Soninke, French, Wolof
MAURITIUS	<b>English less than 1% (official), Creole 81%, Bojpoori 12%, French 3%</b>
MEXICO	<b>Spanish</b> , various Mayan, Nahuatl, and other regional indigenous languages
MICRONESIA	<b>English</b> (official, common), Chukese, Pohnpeian, Yapase, Kosrean, Ulithian, Woleaian, Nukuoro, Kapingamarangi
MOLDOVA	<b>Moldovan</b> (official; virtually the same as Romanian), Russian, Gagauz (a Turkish dialect)

MONACO	<b>French</b> (official), English, Italian, Monegasque
MONGOLIA	<b>Mongolian</b> 90%; also Turkic and Russian
MONTENEGRO	<b>Serbian/Montenegrin</b> (official)
MOROCCO	<b>Arabic</b> (official), Berber dialects, French often used for business, government and diplomacy
MOZAMBIQUE	<b>Portuguese</b> 9% (official; second language of 27%), Emakhuwa 26%, Xichangana 11%, Elomwe 8%, Cisena 7%, Echuwabo 6%, other Mozambican languages 32%
MYANMAR	<b>Burmese</b> , minority languages
NAMIBIA	<b>English</b> (official), Afrikaans is common language of most of the population and of about 60% of the white population, German 32%; indigenous languages: Oshivambo, Herero, Nama
NAURU	<b>Nauruan</b> (official), English
NEPAL	<b>Nepali</b> 48% (official), Maithali 12%, Bhojpuri 7%, Tharu 6%, Tamang 5%, others. English spoken by many in government and business
NETHERLANDS	<b>Dutch, Frisian</b> (both official)
NEW ZEALAND	<b>English, Maori</b> (both official)
NICARAGUA	<b>Spanish</b> 98%(official); English and indigenous languages on Atlantic coast
NIGER	<b>French</b> (official), Hausa, Djerma
NIGERIA	<b>English</b> (official), Hausa, Yoruba, Ibo, Fulani, and more than 200 others
NORWAY	<b>Bokmål Norwegian, Nynorsk Norwegian</b> (both official); small Sami and Finish speaking minorities (Sami is official in six municipalities)
OMAN	<b>Arabic</b> (official), English, Baluchi, Urdu, Indian dialects
PAKISTAN	<b>Urdu</b> 8%, <b>English</b> (both official); Punjabi 48%, Sindhi 12%, Siraiki 10%, Pashtu 8%, Balochi 3%, Hindko 2%, Brahui 1%, Burushaski and others 8%
PALAU	<b>Palauan</b> 65%, <b>English</b> 10%, <b>Tobi, Angaur</b> (each official on some islands), Filipino 14%, Chinese 6%, Carolinian 2%, Japanese 2%, other languages 1%
PALESTINIAN STATE (proposed)	<b>Arabic, Hebrew, English</b>
PANAMA	<b>Spanish</b> (official); English 14%, many bilingual
PAPUA NEW GUINEA	<b>Tok Pisin</b> (Melanesian Pidgin), <b>Hiri Motu</b> (in Papua region), English 2%; 715 indigenous languages
PARAGUAY	<b>Spanish, Guarani</b> (both official)
PERU	<b>Spanish, Quechua</b> (both official); Aymara; many minor Amazonian languages

PHILIPPINES	<b>Filipino</b> (based on Tagalog), <b>English</b> (both official); eight major dialects: Tagalog, Cebuano, Ilocano, Hiligaynon or Ilonggo, Bicol, Waray, Pampango, and Pangasinense
POLAND	<b>Polish</b> 98%
PORTUGAL	<b>Portuguese</b> (official), Mirandese (official, but locally used)
QATAR	<b>Arabic</b> (official), English a common second language
ROMANIA	<b>Romanian</b> (official), Hungarian, German
RUSSIA	<b>Russian</b> , others
RWANDA	<b>Kinyarwanda, French and English</b> (all official); Kiswahili in commercial centers
ST. KITTS and NEVIS	<b>English</b>
ST. LUCIA	<b>English</b> (official), French patois
ST. VINCENT and GRENADINES	<b>English, French patois</b>
SAMOA	<b>Samoan, English</b>
SAN MARINO	<b>Italian</b>
SÃO TOMÉ and PRÍNCIPE	<b>Portuguese</b> (official)
SAUDI ARABIA	<b>Arabic</b>
SENEGAL	<b>French</b> (official); Wolof, Pulaar, Jola, Mandinka
SERBIA	<b>Serbian</b> (official); Romanian, Hungarian, Slovak and Croatian (all official in Vojvodina region); <b>Albanian</b> (official in Kosovo)
SEYCHELLES	<b>Seselwa Creole</b> 92%, <b>English</b> 5%, <b>French</b> (all official)
SIERRA LEONE	<b>English</b> (official), Mende (southern vernacular), Temne (northern vernacular), Krio
SINGAPORE	<b>Mandarin</b> 35%, English 23%, Malay 14%, Hokkien 11%, Cantonese 6%, Teochew 5%, Tamil 3%, other 3%
SLOVAKIA	<b>Slovak</b> 84% (official), Hungarian 11%, Roma 2%, Ukrainian 1%
SLOVENIA	<b>Slovenian</b> 91%, Serbo-Croatian 5%
SOLOMON ISLANDS	<b>English</b> 2% (official), Melanesian pidgin, 120 indigenous languages
SOMALIA	<b>Somali</b> (official), Arabic, English, Italian
SOUTH AFRICA	<b>IsiZulu</b> 24%, IsiXhosa 18%, Afrikaans 13%, Sepedi 9%, English 8%, Setswana 8%, Sesotho 8%, Xitsonga 4%, other 8%
SPAIN	<b>Castilian Spanish</b> 74% (official nationwide); Catalan 17%, Galician 7%, Basque 2% (each official regionally)
SRI LANKA	<b>Sinhala</b> 74% (official and national), Tamil 18% (national), other 8%; English is commonly used in government and spoken competently by about 10%
SUDAN	<b>Arabic</b> (official), Nubian, Ta Bedawie, diverse dialects of Nilotic, Nilo-Hamitic, Sudanic languages, English
SURINAME	<b>Dutch</b> (official), Surinamese, English widely spoken, Hindustani



SWAZILAND	<b>English, siSwati</b> (both official)
SWEDEN	<b>Swedish</b> , small Sami and Finnish speaking minorities
SWITZERLAND	<b>German</b> 64%, <b>French</b> 20%, <b>Italian</b> 7% (all official)
SYRIA	<b>Arabic</b> (official); Kurdish, Armenian, Aramaic, Circassian widely understood; French, English somewhat understood
TAIWAN	<b>Chinese</b> (Mandarin official), Taiwanese (Min), Hakka dialects
TAJIKISTAN	<b>Tajik</b> (official), Russian widely used in government and business
TANZANIA	<b>Swahili, English</b> (both official); Arabic; many local languages
THAILAND	<b>Thai</b> (Siamese), English (secondary language of the elite), ethnic and regional dialects
TOGO	<b>French</b> (official, commerce); Ewe, Mina (south); Kabye, Dagomba (north); and many dialects
TONGA	<b>Tongan</b> , English
TRINIDAD and TOBAGO	<b>English</b> (official), Hindi, French, Spanish, Chinese
TUNISIA	<b>Arabic</b> (official, commerce), French (commerce)
TURKEY	<b>Turkish</b> (official), Kurdish, Dimli, Azeri, Kabardian
TURKMENISTAN	<b>Turkmen</b> 72%; Russian 12%; Uzbek 9%, other 7%
TUVALU	<b>Tuvaluan, English, Samoan, Kiribati</b>
UGANDA	<b>English</b> (official), Ganda or Luganda, other Niger-Congo languages, Nilo-Saharan languages, Swahili, Arabic
UKRAINE	<b>Ukrainian</b> 67%, Russian 24%, Romanian, Polish, Hungarian
UNITED ARAB EMIRATES	<b>Arabic</b> (official), Persian, English, Hindi, Urdu
UNITED KINGDOM	<b>English</b> , Welsh, Scots Gaelic
UNITED STATES	<b>English</b> 82%, Spanish 11%
URUGUAY	<b>Spanish</b> , Portunol, or Brazilero
UZBEKISTAN	<b>Uzbek</b> 74%, Russian 14%, Tajik 4%, other 8%
VANUATU	<b>Bislama</b> 23% (a Melanesian pidgin English), <b>English</b> 2%, <b>French</b> 1% (all official); more than 100 local languages
VATICAN CITY	<b>Italian</b> , Latin, French, various other languages
VENEZUELA	<b>Spanish</b> (official); numerous indigenous dialects
VIETNAM	<b>Vietnamese</b> (official); English (increasingly favored as a second language); some French, Chinese, Khmer; mountain area languages (Mon-Khmer and Malayo-Polynesian)
WESTERN SAHARA (proposed state)	<b>Hassaniya Arabic, Moroccan Arabic</b>
YEMEN	<b>Arabic</b>
ZAMBIA	<b>English</b> (official); major vernaculars: Bemba, Kaonda, Lozi, Lunda, Luvale, Nyanja, Tonga; about 70 other indigenous languages
ZIMBABWE	<b>English</b> (official), Shona, Ndebele (Sindebele), other tribal dialects

# APPENDIX V – RURAL COURTS SCHOLARSHIP

## Supreme Court of Nevada ADMINISTRATIVE OFFICE OF THE COURTS

ROBIN SWEET  
Interim Director and  
State Court Administrator



SCOTT SOSEBEE  
Deputy Director  
Information Technology

VERISE V. CAMPBELL  
Deputy Director  
Foreclosure Mediation

### Certified Court Interpreter Orientation Workshop and Written Examination/Oral Exam Scholarship Form

Name: \_\_\_\_\_

Language of Expertise: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Sponsoring Rural Court: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Court Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Scholarship Requested For: \_\_\_\_\_ Orientation Workshop/Written Exam  
\_\_\_\_\_ Oral Exam  
\_\_\_\_\_ Oral Exam, 2<sup>nd</sup> try after partial passage

Briefly describe your experience in providing foreign language assistance – interpreting and/or translation services in a court setting.

Briefly describe why you want to become a credentialed (certified/registered) court interpreter.

Supreme Court Building ♦ 201 South Carson Street, Suite 250 ♦ Carson City, Nevada 89701 ♦ (775) 684-1700 • Fax (775) 684-1723

Regional Justice Center ♦ 200 Lewis Avenue, 17<sup>th</sup> floor ♦ Las Vegas, Nevada 89101

Briefly describe your current relationship with your sponsoring court, and how that relationship was formed.

*By signing below, I hereby acknowledge that the information provided herein is true and factual. I also acknowledge that receipt of this scholarship is not guaranteed, and that receipt of the scholarship has no bearing on the outcome of credentialing process. I hereby commit to continue working toward my interpreter credential (certification/registration), and to continue to work with my sponsoring court to the extent practicable and reasonable. I also acknowledge the terms and conditions attached to this application form.*

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Interpreter Candidate Signature

Date

*By signing below, I hereby acknowledge that the above named interpreter candidate has an existing relationship with my court, and that the court endorses the interpreter candidate's application for scholarship.*

---

Judge or Court Administrator

Date

---

Printed Name

This application form must be returned to your sponsoring court for submission to the Administrative Office of the Courts. No applications will be accepted unless received, under cover, from a sponsoring court.

Questions regarding this form or process should be directed to John McCormick at (775) 687-9813 or [jmccormick@nvcourts.nv.gov](mailto:jmccormick@nvcourts.nv.gov).

Please contact Andrea Krlickova with questions regarding the Court Interpreter Program at (702) 486-9332 or [akrlickova@nvcourts.nv.gov](mailto:akrlickova@nvcourts.nv.gov).

Telephone (775) 684-1700 ♦ Facsimile (775) 684-1723

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS

ROBIN SWEET  
Director and  
State Court Administrator



SCOTT SOSEBEE  
Deputy Director  
Information Technology

VERISE V. CAMPBELL  
Deputy Director  
Foreclosure Mediation

**Terms and Conditions of Court Interpreter Credentialing  
Requirements (Orientation Workshop/Testing) Scholarship**

In order to be eligible for a scholarship the interpreter candidate must have an established relationship with a court in rural Nevada, and that court must endorse his or her application.

An interpreter candidate who applies for this scholarship must be able to comply with the requirements found in Section 4 of the State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program, provisions 4.3 through 4.5 (see attached).

An interpreter candidate who accepts this scholarship makes a commitment to continuing to develop a positive working relationship with his or her sponsoring rural court in order to provide appropriate language services to the limited English proficient litigants who appear before that court.

An interpreter candidate who accepts this scholarship commits to undergoing the certification process to its full extent, including the oral performance exam if it is available in the candidate's chosen language.

An interpreter candidate may apply for, and receive, this scholarship up to two times, excluding the following condition of exception, during the certification process; once for the workshop/written exam, and again for the oral exam. The candidate is expected to arrange and pay for their own travel to the workshop/exam location.

An exception can be made to allow for a third application if the interpreter candidate passed a portion, or portions, of the oral exam during their first attempt, but did not pass the exam as a whole. In this case the interpreter candidate must attach a statement indicating they meet the above stated condition with their third application.

The interpreter candidate acknowledges that receipt of this scholarship does not carry any guarantee of exam passage or future work with any Court in the State of Nevada.

Please contact John McCormick with questions regarding the application process at (775) 687-9813 or [jmccormick@nvcourts.nv.gov](mailto:jmccormick@nvcourts.nv.gov). Please contact Andrea Krlickova with questions regarding the Court Interpreter Program at (702) 486-9332 or [akrlickova@nvcourts.nv.gov](mailto:akrlickova@nvcourts.nv.gov).

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Regional Justice Center ♦ 200 Lewis Avenue, 17<sup>th</sup> floor ♦ Las Vegas, Nevada 89101

## APPENDIX VI – SELF ASSESSMENT FOR ESTABLISHING LANGUAGE ACCESS PLAN

\_\_\_\_\_ COURT

\_\_\_\_\_ COUNTY, NEVADA

*PLEASE FILL IN THE INFORMATION IN EACH SECTION*

### **Section 1:    Interaction between limited English proficient (LEP) individuals and the court**

- A. Does your court interact with LEP persons?
- ☐ Yes
  - ☐ No (*if you selected this check box, there is no need to complete the rest of this template*)
- B. The court's interaction with LEP persons occurs in the following manner:
- ☐ In-person
  - ☐ Telephonically
  - ☐ Electronically (e-mail)
  - ☐ U.S. Postal Service (correspondence)
  - ☐ Other (*please specify*):

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### **Section 2:    Identification of LEP population the court serves**

- A. Methods used by the court and court staff to identify LEP persons (*please select all that apply*):
- ☐ Assumption (if communication with LEP seems to be observed)
  - ☐ Response to a specific individual request (e.g., family member, friend, attorney, CPS worker, etc.)
  - ☐ Self-identification by the LEP person
  - ☐ “*I Speak*” language identification cards or posters
  - ☐ Questioning (with use of open-ended questions) to determine language proficiency (on the phone or in-person)
  - ☐ No identification of LEP persons occurs in this court
  - ☐ Other (*please specify*):

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- B. Did the court establish a process to collect data pertaining to:
- i. The number of LEP individuals who the courthouse serves?  
☐ Yes  
☐ No
  - ii. The number of LEP individuals in this state or county?  
☐ Yes  
☐ No
  - iii. The number and prevalence of languages spoken by LEP individuals in this county?  
☐ Yes  
☐ No
- C. What data does the court use to determine LEP communities in this service area? *(Please select all that applies.)*
- ☐ U.S. Census
  - ☐ U.S. Department of Education
  - ☐ U.S. Department of Labor
  - ☐ State Agencies
  - ☐ Community Organizations
  - ☐ Intake Information
  - ☐ Other *(please specify)*:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- D. Does the court collect and record language data from individuals/agencies when they contact this court?
- ☐ Yes
  - ☐ No
- E. If you responded 'Yes' to the question above, please describe where and how is the information stored.
- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- F. What is the total number of LEP individuals who use or receive services from your courts each year? *(Please provide an estimate if data are not kept.)*
- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

G. Please specify top six frequently encountered non-English languages in your court and how often these encounters occur (*e.g., 2-3 times per year, monthly, weekly, daily*).

<input type="checkbox"/> Language:	<input type="checkbox"/> Frequency of Encounters:
1. _____	1. _____
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____
5. _____	5. _____
6. _____	6. _____

H. For what type of cases are interpretive services mandatory in your court? Please provide an estimate of the percentage for each type of case. (*Please select all that apply – e.g., criminal cases 80%, family cases 20 %.*)

- ☐ Criminal \_\_\_\_\_%
- ☐ Family \_\_\_\_\_%
- ☐ Juvenile Delinquency \_\_\_\_\_%
- ☐ Child Protective Services \_\_\_\_\_%
- ☐ Small Claims \_\_\_\_\_%
- ☐ Probate \_\_\_\_\_%
- ☐ Guardianship \_\_\_\_\_%
- ☐ Mental Commitment \_\_\_\_\_%
- ☐ Specialty Court(s) \_\_\_\_\_%
- ☐ Civil \_\_\_\_\_%
- ☐ Traffic \_\_\_\_\_%
- ☐ Appeals \_\_\_\_\_%
- ☐ Other (*please specify*) \_\_\_\_\_%

### **Section 3: Language assistance services provision**

A. Does your court have a system to gather data regarding the type of language assistance provided to LEP individuals outside of the accounts-payable (invoicing)?

- ☐ Yes
- ☐ No

B. What was the total cost of providing language assistance services in your court for the past 3 years?

<input type="checkbox"/> Year:	<input type="checkbox"/> Cost of Services:
1. _____	1. _____
2. _____	2. _____
3. _____	3. _____

C. What type of language assistance services does your court provide to LEP individuals? (*Please select all that apply.*)

- ☐ Bilingual (multilingual) staff
- ☐ Staff interpreters
- ☐ Freelance interpreters
- ☐ Staff translators

- ☐ Freelance translators
- ☐ Telephone interpretive services
- ☐ Video interpretive services
- ☐ Other *(please specify)*:

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D. Does your court ask or allow LEP individuals to bring their own non-credentialed interpreters or use family members or friends to provide language assistance?

- ☐ Yes *(if you selected this check box, please provide specific instances)*

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- ☐ No

E. Did your court translate forms or other informational material into non-English spoken languages?

- ☐ Yes *(if you selected this check box, please specify foreign language(s) and type of documents)*

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- ☐ No

F. Does your court have notices posted or provided of availability of free language assistance services translated in other non-English spoken languages?

- ☐ Yes
- ☐ No

#### **Section 4: Provision of language assistance services notices**

A. How does your court inform the public about the availability of language assistance services? *(Please select all that apply.)*

- ☐ Posters/Signage in public areas and courtrooms
- ☐ Information desk staff
- ☐ Bilingual (multilingual) staff
- ☐ “I Speak” language identification cards or posters
- ☐ Website information
- ☐ Other *(please specify)*:

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**Section 5: Monitoring, evaluating, and updating language assistance procedures, policies and plan**

- A. Does your court have a written Language Access Plan (LAP)?
- ☐ Yes (*if you selected this check box, please indicate whether it is available to the public and in what way(s).*)
- \_\_\_\_\_
- \_\_\_\_\_
- ☐ No
- B. How often does your court review and update your LAP?
- ☐ Biennially
- ☐ Annually
- ☐ Other (*please specify*):
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- C. When was your LAP reviewed and updated last time?
- ☐ Our court(s) does not have a LAP.
- ☐ Other (*please specify month and year*):
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- D. Does your court have a language assistance coordinator?
- ☐ Yes
- ☐ No
- E. Does your court have a formal language assistance complaint process?
- ☐ Yes
- ☐ No
- F. Has your court ever received a complaint because the language assistance services were not provided?
- ☐ Yes
- ☐ No

**Section 6: Court staff training**

- A. Does your court provide initial training to court staff on how to access and offer language assistance services to LEP individuals?
- ☐ Yes
- ☐ No

B. Does your court provide periodic training to court staff on how to access and offer language assistance services to LEP individuals?

- ☐ Yes
- ☐ No

C. Which court staff receives training on how to work with LEP individuals? *(Please select all that apply.)*

- ☐ Management (senior staff)
- ☐ Front-line employees
- ☐ Bilingual staff
- ☐ New employees
- ☐ All employees
- ☐ Other *(please specify)*:

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D. Do language assistance policies and LEP issues form a part of the training curriculum?

- ☐ Yes
- ☐ No

E. Does your court have written procedures relevant to securing and working with spoken language interpreters?

- ☐ Yes
- ☐ No

## APPENDIX VII – TRIAL COURTS DEMOGRAPHICS/INITIAL DATA

\_\_\_\_\_ COURT

\_\_\_\_\_ COUNTY, NEVADA

*PLEASE FILL IN THE INFORMATION IN EACH SECTION*

### **Section 1: Demographics**

In this Court jurisdiction:

- A. The Spanish-speaking population is \_\_\_\_\_, or \_\_\_\_\_% of the total county or city population.
- B. The Tagalog-speaking (Philippines) population is \_\_\_\_\_, or \_\_\_\_\_% of the total county or city population.
- C. Other common languages include: \_\_\_\_\_.
- D. The number of people age 5 and older who speak English less than “very well” is \_\_\_\_\_, or \_\_\_\_\_% of the total county or city population.

### **Section 2: Service Information**

In this Court jurisdiction:

- A. The courts need spoken language interpreters primarily for these types of cases  
(*please select all that apply*):

- ☐ Criminal
- ☐ Traffic
- ☐ Protection Orders
- ☐ Civil
- ☐ Small Claims
- ☐ Family
- ☐ Juvenile
- ☐ Child Protective Services/Child Dependency
- ☐ Probate
- ☐ Other (*please specify*):

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B. The courts need Spanish-language interpreters:

- ☐ Daily
- ☐ Weekly
- ☐ Monthly
- ☐ Rarely

C. The courts need Tagalog language interpreters:

- ☐ Daily
- ☐ Weekly
- ☐ Monthly
- ☐ Rarely

D. The courts need Chinese-Mandarin language interpreters:

- ☐ Daily
- ☐ Weekly
- ☐ Monthly
- ☐ Rarely

E. The courts need other spoken language interpreters (*please select all that apply*):

- ☐ Albanian
- ☐ Amharic
- ☐ Arabic
- ☐ Bosnian/Croatian/Serbian
- ☐ Chinese – Cantonese
- ☐ Farsi
- ☐ French
- ☐ Hindi
- ☐ Italian
- ☐ Japanese
- ☐ Korean
- ☐ Lao
- ☐ Mai-Mai/Bantu
- ☐ Polish
- ☐ Portuguese
- ☐ Punjabi
- ☐ Russian
- ☐ Somali
- ☐ Thai
- ☐ Tibetan
- ☐ Ukrainian
- ☐ Urdu
- ☐ Vietnamese
- ☐ Other (*please specify*):

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### **Section 3:    Federally funded Programs**

In this Court, federal funding grants are received for the following programs (*please select all that apply*):

- ☐ Child support cooperative agreement
- ☐ Drug or other specialty court
- ☐ Federal training grant
- ☐ Juvenile delinquency funding
- ☐ Law enforcement grant
- ☐ Violence Against Women Act (VAWA) grant
- ☐ Other (*please specify*):

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### **Section 4:    Local Language and Cultural Resources**

In this Court, the following resources are used (*please select all that apply and provide specific names*):

- ☐ Community groups:

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- ☐ Social services agencies:

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- ☐ Interpreting & translating agencies:

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- ☐ Two-Year and Four-Year Colleges:

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- ☐ Hospitals:

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- ☐ Other (*please specify*):

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## **Section 5: Evaluation Measures**

In this Court, the following measures are applied (*please select all that apply*):

- ☐ Information regarding this plan will be given to all court personnel who interact with the public;
- ☐ A two-page summary on effective use of interpreters will be delivered to all court personnel who work with the public, or who schedule and/or work with interpreters;
- ☐ Signage informing court users that spoken language interpreters are available to provide language services upon request will be posted in visible court locations;
- ☐ Clerk's Office and intake staff will use "I speak" cards to identify language needs;
- ☐ Online access to the Nevada court interpreters' roster will be facilitated to the court staff who schedules interpreters and the court staff will use it as a primary source for potential requests;
- ☐ Court staff will use translated material available from the state and other credible online resources to facilitate language access services;
- ☐ The LAP will be filed with the Court Administration and distributed to interested community groups and agencies as requested;
- ☐ New staff will be informed of the plan upon a beginning of employment.

## **Section 6: Comments/Complaints**

### **A. General Comments/Complaints**

Any comments or complaints regarding language access and services may be directed to the Office of the Nevada State Court Administrator located at 201 South Carson Street, Suite 250, Carson City, Nevada 89701 for review.

Similarly, the Office of the State Court Administrator shall maintain a record of feedback received and any resolution based on LEP individual's comments or suggestions.

### **B. Formal Comments/Complaints**

Complaints about Nevada credentialed court interpreters (certified/registered) who have allegedly engaged in unethical or unprofessional conduct in the course of performing their interpreter duties should be similarly reported.

A grievance procedure for filing complaints against Nevada credentialed court interpreters is available on the Supreme Court's website at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/functionstartdown/9409/>.

Pursuant to the State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program, Appendix III, disciplinary complaints may be filed against interpreters who have been credentialed (certified/registered) by the state of Nevada

through the Court Interpreter Certification Program for the reasons enumerated in the provision <sup>157</sup>.

*‘Any person may initiate a complaint by filing it with the Administrative Office of the Courts (AOC). All complaints shall be directed to the State Court Administrator or the administrator’s designee. All complaints must be in writing on a Complaint Form provided by the AOC<sup>58</sup>, must be signed, must be submitted within 180 days from the date of the alleged disciplinary breach, and must describe the alleged inappropriate conduct. Upon receipt of a complaint, the State Court Administrator or the administrator’s designee will review the complaint to determine its merit.’*

## **Section 7: Local Contact Person**

The following person has been designated to coordinate language services with other county agencies and with the Nevada Administrative Office of the Courts (AOC), Certified Court Interpreters' Program:

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## **Section 8: Effective Date**

The effective date of this Language Access Plan is: \_\_\_\_\_

Signature: \_\_\_\_\_  
Court Administrator/Presiding Judge

<sup>57</sup> State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program available at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/func-startdown/9410/>

<sup>58</sup> The Form is available at <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/functionstartdown/9409/>



## APPENDIX VIII – TRIAL COURTS INSTRUCTION GUIDE AND LAP TEMPLATE

The purpose of this instruction guide is to offer resources and suggestions to enhance a court's ability to deliver services to limited English proficient (LEP) individuals.

The Language Access Plan (LAP) should be tailored to the needs, demands, and services specific to a particular Nevada court.

When developing a LAP, it is recommend that a dialogue be established with judges, court administrators, other administrative staff, interpreters, and members of the community such as domestic violence organizations, pro bono programs, courthouse facilitators, legal services programs, and/or other community groups whose members speak a language other than English. A LAP plan should document what method of consultation was employed, e.g., community forum, individual meetings with court staff and/or community representatives, etc.

The LAP template is presented below. Those who will use this document will note references in **bold** such as **[SEE #1]**, **[SEE #2]**, etc. They should go to the corresponding number in this instruction guide for ideas on how to insert local court-specific information into the template.

Please consider these specific tips:

1. Personalize the LAP Plan with the name of your court. Throughout the template you'll see the term "\_\_\_\_\_ Court." Do a 'find and replace' on "\_\_\_\_\_" and replace it with the name of your local court.

*[NOTE: Local jurisdictions are welcome and encouraged to create and implement a single LAP plan for clusters of courts, or for all courts in a county or judicial district.]*

Please list the languages in highest demand in your court. This information can be retrieved from the following sources:

- a. Your court's encounters with LEP participants, which may be documented in case files, information systems, and/or records of interpreter engagements and billing;
  - b. U.S. Census Bureau's American Community Survey is available at <http://www.census.gov/acs/www/>.
2. Please review the information in this paragraph to make sure it accurately reflects your local practice. Make any necessary changes or additions. For example, if your court uniformly provides interpreters in other settings, please be sure to include your court-specific practices.
  3. The Nevada AOC Certified Court Interpreter Program provides list of online resources to access posters in multiple languages to be used in courts across the state to notify LEP

persons of their possible right to interpreter services and the method(s) by which they can obtain an interpreter.

4. Briefly describe any coordination with local government agencies (e.g., probation, law enforcement, child protective services, prosecution, etc.) for early identification of interpreter needs. Your description may include proactive communication plans with these local agencies. The purpose of such a collaborative outreach is to establish consistent means of notifying the court as early as possible when a justice partner becomes aware that an interpreter will be needed for a court appearance.
5. If court personnel regularly come into contact with LEP individuals outside of the courtroom, please list the possible circumstances under which this may occur. This is an important factor to consider due to better understanding of the following:
  - a) which court employees provide service to LEP individuals;
  - b) in what context they are serving those individuals – some examples may include site visits, interviews for public defender eligibility, interviews for orders for protection, letters/requests sent by mail etc.
6. Though the bilingual court personnel are not expected to provide professional interpretive services, they are to provide competent bilingual language services to LEP persons. Below are some ideas and suggestions that your court may wish to employ. Suggested wording to insert in the LAP is presented in a normal text, with follow-up explanations in italics. Feel free to use these and include any other examples of efforts or services provided in your court. See also Section 6 entitled ‘Services Provided (A & B)’ of the statewide LAP for possible additional services and practices.
  - “The \_\_\_\_\_ Supreme/District/Justice/Municipal Court has bilingual employees in the following languages: . . . . When LEP customers seek our assistance outside the courtroom, we first try to meet their needs by using the language skills of our bilingual employees.”
  - “For in-person encounters, as well as telephone conversations, the \_\_\_\_\_ Supreme/District/Justice/Municipal Court uses the Language Line Services (<http://language.com/>) when interpreters are not immediately available.”
  - “When court staff does not know what language a LEP individual is speaking, they use “I Speak” cards which are available in thirty-eight languages.”  
  
*[COMMENT: “I Speak” cards are available upon request from the AOC or from the <http://www.lep.gov/resources/OhioLangIDcard.pdf>. These small, hand-held booklets identify more than 50 different languages.]*
  - “In order to meet simple immediate communicative needs, court staff may use free online translating services. This will help in translating an English statement into a foreign language in written form.”

- Machine translation services available online (e.g. <http://www.freetranslation.com/>, <http://translate.google.com/#>, <http://translation2.paralink.com/>, <http://babelfish.yahoo.com/>, [http://www.worldlingo.com/en/products\\_services/worldlingo\\_translator.html](http://www.worldlingo.com/en/products_services/worldlingo_translator.html)) may be helpful in limited situations and courts should use caution when considering it. Machine translation involves technology that “automatically translates written material from one language to another without the involvement of a translator.” These online services are not recommended for conversations, translation of forms or documents, or replacing the work of an interpreter or translator. Example of appropriateness for this alternative includes a situation when staff needs to communicate a simple sentence to an LEP individual - “Our office closes in ten minutes.” “Please take this paper to the second floor.” “Please wait and we will find an interpreter.”
- Bilingual staff that has some knowledge of the Spanish language may consult the Spanish/English glossary developed by the North Carolina courts.

*[COMMENT: To assess your Spanish-speaking court staff bilingual skills, use a comprehensive Spanish/English glossary of helpful phrases for court clerks, developed by the Supreme Court of North Carolina. It is strongly suggested that interpreters (either in-person or remotely located) be used when serving LEP individuals.]*

7. Please list all documents and forms translated by your specific jurisdiction(s) in this section.
8. Please enumerate all training opportunities available to judicial officers and court staff in your court/Judicial District. Examples may include:
  - “Staff is being instructed about LAP policies and procedures, as described in this LAP Plan, on an annual basis.”
  - “Front-line staff is required to annually review *Breaking Down the Language Barrier*, a video training tool provided by the Department of Justice.”
  - “Culture-specific training will be provided by local agencies (please include relevant information).”

*[COMMENT: AOC plans to provide state and/or regional training for judicial officers and court staff to support implementation of local LAPs. Notifications will be sent as more specific information about these training opportunities becomes available, in order to incorporate it into your court/Judicial District LAP.]*

9. Any questions, comments, concerns or suggestions pertaining to the LAP Plan or about improvement of the LAP template should be addressed to Andrea Krlickova at [akrlickova@nvcourts.nv.gov](mailto:akrlickova@nvcourts.nv.gov) or (702) 486-9332.

\_\_\_\_\_ [SEE #1] COURT

\_\_\_\_\_ COUNTY, NEVADA

## **LANGUAGE ACCESS PLAN (LAP)**

### **I) LEGAL BASIS AND PURPOSE**

This document serves as the plan for \_\_\_\_\_ Court to help ensure meaningful access for all limited English proficient (LEP) individuals who use the court's services. It is designed to respond to Title VI of the Civil Rights Act of 1964, the requirements imposed by Executive Order 13166, and related guidance. It also covers interpreter services under the Nevada Revised Statute.

The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come in contact with \_\_\_\_\_ Court. It is designed to be read in conjunction with the Nevada State Court Plan explaining the relevant federal laws and guidance.

In accordance with federal mandates and state requirements, this court and all its personnel shall provide free language assistance services to all LEP individuals upon request. Members of the public shall be informed that language assistance services are fully available and that the \_\_\_\_\_ Court shall provide them.

Appellate and Trial Courts/Judicial Districts that receive federal funding for court programs are required to submit a language access plan to the Nevada Administrative Office of the Courts (AOC), Certified Court Interpreter Program office every two years. The U.S. Department of Justice (DOJ) has the right to investigate complaints against any federally-funded agency that does not provide free language services when necessary to participate in the program. An agency's federal funding may be withheld until the complaint is resolved.

### **II) NEEDS ASSESSMENT**

#### **A. Statewide**

Nevada provides court services to a wide range of persons, including people who do not speak English or who have a limited knowledge and understanding of English. Service providers include the trial courts at the District, Justice and Municipal Court levels. The LEP population in our county/Judicial District is determined by the US Census Bureau data updated every ten years. Changes in the LEP population should be monitored via mid-census estimates and projections from the American Community Survey will (ACS).

According to 2000 U.S. Census data, the most widely used languages for interpreters in Nevada were (in descending order of frequency):

1. Spanish
2. Tagalog
3. Mandarin
4. Vietnamese

#### **B. Supreme/District/Justice/Municipal Court**

\_\_\_\_\_ Court will make every effort to provide service to all LEP persons. However, the following list shows the non-English languages that are most frequently used in the county/municipality. **[SEE #2]**

- XX
- XX
- XX
- XX

This information is based on data from the \_\_\_\_\_. **[SEE #2]**  
In compiling this information on local language needs, the following individuals and groups were consulted:

*[COMMENT: See NOTE at the beginning of the LAP Instruction Guide regarding the need for local consultation/ input.]*

\_\_\_\_\_ Court has identified the following additional language assistance needs among court users in the state/county/municipality.

- XX
- XX
- XX
- XX

This information is based on input from \_\_\_\_\_. In compiling this information on local language needs, the following individuals and groups were consulted:

*[COMMENT: See NOTE at the beginning of the LAP Plan Instruction Guide regarding the need for local consultation/ input.]*

### III) LANGUAGE ASSISTANCE RESOURCES

#### A. Interpreters Used in the Courtroom

The use of court interpreters (both sign language and non-English spoken language) is guided by the Nevada Revised Statute, Chapter 1 entitled *‘Interpreters and Translators’* – NRS 1.500 through 1.560, respectively.

It is the law of Nevada to secure the constitutional rights of persons with ‘communications disability’ who are unable to readily understand or communicate the spoken English language and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them. See NRS 50.050 through 50.053. It is also the law of Nevada to secure the rights, constitutional or otherwise, of persons who, because of a non-English speaking cultural background, are unable to readily understand or communicate in the English language and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them. See NRS 50.054.

If the current list of Nevada Certified and Registered court interpreters, maintained by AOC, does not include an interpreter certified or registered in the language spoken by the LEP person, the appointing authority shall assign a qualified interpreter who underwent a proper voir dire process.

Community resources may be of assistance in finding interpreters or translators. These include, but are not limited to social services agencies, community groups and cultural centers, professional interpreting and translating agencies, college language departments, local hospitals, and schools. Courts understand that interpreters from these sources are not necessarily prepared to do court work and interpreters will be questioned carefully about their qualifications. Court interpreters will be hired from the Nevada Certified Court Interpreter Program roster whenever possible.

*[COMMENT: This is the most important part of your LAP plan, so please be as detailed as possible. Explain the general procedure for determining need and then appointing an interpreter. Explain the process for what happens with in-court and out-of-court situations for Spanish, Tagalog, Mandarin and other spoken languages, including those of limited diffusion.]*

#### 1. Determining the Need for an Interpreter in the Courtroom

There are various ways that the \_\_\_\_\_ Court will determine whether a LEP court customer needs an interpreter for a court hearing.

First, the LEP person may request an interpreter. The \_\_\_\_\_ Court displays a signage translated into Nevada’s six most frequently used languages that states: “You may have the right to a court-appointed interpreter in a court case. Please inquire about this service at the court information desk.” The \_\_\_\_\_ Court

displays this (or similarly worded) signage at the following location: xxxxxx. [SEE #4]

Second, court personnel and judges may determine that an interpreter is appropriate for a court proceeding. Many people who need an interpreter will not request one because they do not realize that interpreters are available, or because they do not recognize the level of English proficiency or communication skills needed to understand the court proceeding. Therefore, when it appears that an individual has any difficulty communicating, the court administrator or judge should err on the side of providing an interpreter to ensure full access to the courts.

Finally, outside agencies such as probation, attorneys, social workers or correctional facilities may notify the court/court interpreter services scheduler about a LEP individual's need for an interpreter for an upcoming court hearing. [SEE #5]

*[COMMENT: Please elaborate on the following:*

- a) what happens when a LEP person appears for in-court hearing and no interpreter is readily available to assist;*
- b) how is the court file "flagged" that an interpreter is needed;*
- c) do you use 'interpreter maintenance' codes and if so, who enters that information and when;*
- d) how do you ensure an interpreter will be scheduled for the next hearing;*
- e) how do you notify an interpreter of the assignment;*
- f) who is the person responsible for locating and securing an interpreter;*
- g) what is the criteria for choosing an interpreter;*
- h) is telephonic/video interpreting technology available in the courtroom;*
- i) do you use the roster or some other list.]*

## **2. Court Interpreter Qualifications**

The \_\_\_\_\_ Court hires interpreters for courtroom hearings in compliance with the rules and policies set forth in NRS 1.500 through 1.560, NRS 50.050 through 50.053 as well as the State Court Administrator Guidelines for the Nevada Certified Court Interpreter Program. The Nevada Certified Court Interpreter Program maintains a statewide roster of Certified and Registered court interpreters who had complied with mandatory requisites to provide specialized and competent interpretive services in the courts. This roster is available to court staff and the public at

<http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/functionstartdown/6429/>.



The following spoken languages have been offered for certification/registration in Nevada so far: Amharic, Bosnian, Croatian, Serbian, Cantonese, Farsi, German, Italian, Korean, Mandarin, Portuguese, Slovak, Spanish, Tagalog and Vietnamese. (Additional spoken foreign languages are available for testing to establish certified and registered court interpreter status.)

A credentialed court interpreter (certified or registered), if available, should be the first choice for the court. When a diligent effort has been made to find a credentialed court interpreter and none is available, the court may appoint a non-credentialed court interpreter who is not listed on the statewide roster and who is otherwise qualified. Whenever non-certified and non-registered interpreters are used in the courtroom, judges are encouraged to inquire into the interpreter's skills, professional experience, and potential conflicts of interest (see Nevada State Court LAP, Attachment I – Voir Dire Samples).

The \_\_\_\_\_ Court may also use telephone/video interpreting in appropriate circumstances, if no interpreters are available to assist in person. Telephone interpreting can be a good choice if the hearing is short, if the distance an interpreter will have to travel is long, or if an interpreter for rare language is needed. A well-qualified interpreter hired to provide language services remotely is a better choice than a poorly-qualified or non-credentialed local interpreter.

Bilingual staff that is not on the statewide roster is not to be used to interpret in court. However, their assistance in securing an interpreter, if necessary, is welcome.

*[COMMENT: Most professional interpreters are independent contractors or work for an independent interpreting agency. Any interpreter hired by the court should be a trained, neutral professional, not a family member or friend of the party, a social worker, lawyer or law enforcement officer. Use of non-credentialed interpreters such as these should be limited to simple proceedings such as a change of date, to emergencies where no neutral, professional interpreter can be found in person or on the telephone, and to situations where no other person can communicate with the LEP person.]*

## **B. Spoken Language Services Outside of the Courtroom**

The \_\_\_\_\_ Court is also responsible for taking *reasonable steps* to ensure that LEP individuals have meaningful access to services outside the courtroom. This is one of the most challenging situations facing court staff, because in most situations they are charged with assisting LEP individuals without an interpreter. LEP may come in contact with court personnel via the phone, front counter or other means. **[SEE #6]**

To that end, the \_\_\_\_\_ Court has the following resources to help LEP individuals and court staff communicates with each other **[SEE #7]:**

- XX
- XX
- XX

*[COMMENT: Please elaborate on the following:*

- a) what happens when LEP person comes to the clerks counter looking for assistance (to pay a fee, file a petition, etc.);*
- b) is bilingual staff available to assist;*
- c) do you use the roster to contact someone via telephone;*
- d) do you have a remote provider available (e.g. telephone language line provider account);*
- e) are “I speak” cards available to identify the language spoken;*
- f) how are translated materials made available.]*

### **C. Translated Forms and Documents**

The \_\_\_\_\_ Court currently has the following forms translated into commonly used languages: **[SEE #8]** – e.g.:

- X, Y and Z Criminal Court Forms have been translated into . . .
- X, Y and Z Domestic Abuse forms have been translated into. . .

When interpreters are hired for hearings, they are expected to provide sight translations for corresponding documentation to LEP individuals when necessary.

## **IV. PUBLIC INPUT**

A copy of this LAP is posted on this court’s website ***[IF link to website available]*** and can be found at ***[ENTER link to website]***. A copy of this LAP will be maintained on file for public review ***[IF NO website available]***. Hard copies of state and local language access plans may be available to the public upon request.

Complaints regarding language access services (including, but not limited to, in-person interpreter services, telephonic and video remote interpreter services, translation of written materials, and bilingual staff services) may be brought to the attention of the local Court Administration and/or to the Nevada State Court Administrator for review. Complaints about interpreters who have allegedly engaged in unethical or unprofessional conduct in the course of performing their interpreter duties should be reported directly to Andrea Krlickova, Certified Court Interpreter Program Coordinator.

***[ENTER name of local court administrator and contact information.]***

## V. TRAINING

Local courts are committed to providing training opportunities for all judicial and court staff members who come in contact with LEP individuals. Front line staff members are often the first points of contact with LEP individuals. Deputy clerks of courts and judicial assistants will be facilitated with training opportunities regarding ways to identify limited English proficiency, best practices on delivering services, and cultural issues. As new employees are hired, information on the Language Access Plan will be provided to them.

Training opportunities specifically provided in the \_\_\_\_\_ Court include: **[SEE #9]**

- XX
- XX
- XX
- XX

*[COMMENT: The AOC – Judicial Programs and Services (JPS) Division can provide programs for judges, court staff, and others on how to use interpreters in court, how to communicate effectively with persons of limited English proficiency, and cultural understanding. Court staff should contact the AOC to request training.]*

## VI. PUBLIC NOTIFICATION AND EVALUATION OF LAP PLAN

### A. LAP Approval & Notification

\_\_\_\_\_ Court's LAP has been approved by the (Court Administrator/Chief Judge), and a copy has been forwarded to Nevada AOC, Certified Court Interpreter Program Coordinator. Any revisions to the plan will be submitted to the Court Administrator for approval, and then forwarded to the Nevada AOC, Certified Court Interpreter Program Coordinator.

Copies of \_\_\_\_\_ Court's LAP will be provided upon request. Furthermore, \_\_\_\_\_ Court will post this plan on its own website **[IF link to website available]/maintain on file for public review [IF NO website available]** and AOC's website.

### B. Annual Evaluation of the LAP Plan

\_\_\_\_\_ Court will conduct an annual needs assessment to determine whether changes to the LAP are needed. This assessment may be done by tracking the number of interpreters requested by language in the courts, or by other methods. Any revisions made to the plan will be communicated to all court personnel, and an updated version of the plan will be posted on the court's web site. Additionally, it will be posted on the AOC's public website.

Biennially the statewide AOC Court Interpreter Program Coordinator will coordinate with designated local court staff member a review of the effectiveness of the LAP. The evaluation will include identification of any problem areas and development of required corrective action strategies. Elements of the evaluation will include:

- a) Number of LEP persons receiving court interpretive services;
- b) Assessment of current language needs to determine if additional services or translated materials should be provided;
- c) Assessing whether staff members adequately understand LAP policies and procedures and how to carry them out; and
- d) Gathering feedback from LEP communities around the state.

Each county's language access plan shall be approved by the presiding judge or other judge and filed with the State Court Administrator's office. The first plan is due XXX. The plan and any future revisions should be communicated to all employees.

## **VII. LOCAL CONTACT PERSON**

### ***State Contact:***

Andrea Krlickova  
Court Services Analyst  
Certified Court Interpreter Program  
Administrative Office of the Courts  
Regional Justice Center  
200 Lewis Avenue, 17<sup>th</sup> Floor  
Las Vegas, NV 89101

E-mail: [akrlickova@nvcourts.nv.gov](mailto:akrlickova@nvcourts.nv.gov)  
Direct Ph.# Line: (702) 486-9332

### ***Local Contact:***

*[Insert Local Contact Information]*

The effective date of this Language Access Plan is \_\_\_\_\_.

## APPENDIX IX – LAP RESOURCES FOR TRIAL COURTS

### ***I. Nevada Certified Court Interpreters’ Roster***

- <http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/functionstartdown/6429/>

### ***II. Signage – “Right to an Interpreter”***

- Thirty-one (31) languages authored by the Language Access Committee of the Diversity Coalition  
[http://www.transcend.net/library/legalCourts/MASS\\_Right2Interpreter.pdf](http://www.transcend.net/library/legalCourts/MASS_Right2Interpreter.pdf)
- Twelve (12) languages authored by the California Department of Social Services  
<http://www.cdss.ca.gov/civilrights/PG584.htm>

### ***III. Signage – “Need an Interpreter?”***

- Five (5) languages authored by the Transcend Translations  
<http://www.transcend.net/library/legalCourts/interpreterMulti.pdf>

### ***IV. Language Identification Cards – “I Speak”***

- Sixty-three (63) languages including ASL developed by the State of Ohio Criminal Justice Services  
<http://www.lep.gov/resources/OhioLangIDcard.pdf>
- Thirty-eight (38) languages authored by the U.S. Department of Commerce  
[http://www.transcend.net/library/legalCourts/SpeakCard\\_US\\_Commerce.pdf](http://www.transcend.net/library/legalCourts/SpeakCard_US_Commerce.pdf)
- Twenty (20) languages authored by the Transcend Translations  
[http://www.transcend.net/library/health/ISpeakCard\\_courts.pdf](http://www.transcend.net/library/health/ISpeakCard_courts.pdf)

### ***V. Video – “The Role of Interpreters in the Legal System” developed by the Supreme Court of Ohio***

- <http://www.sconet.state.oh.us/JCS/interpreterSvcs/interpreterVideo.asp>

### ***VI. Technical Assistance Resources for Federally Conducted and Federally-Funded Programs and Activities***

#### ***a) Guidance Documents***

- Department of Justice – “Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons”, June 18, 2002  
<http://www.gpo.gov/fdsys/pkg/FR-2002-06-18/pdf/02-15207.pdf>

- *Attorney General Eric Holder Memorandum to Heads and Department Components of the Department of Justice, Language Access Obligations under Executive Order 13166*, June 28, 2010  
[http://www.justice.gov/crt/about/cor/language\\_access\\_memo.pdf](http://www.justice.gov/crt/about/cor/language_access_memo.pdf)
- *Attorney General Eric Holder Memorandum to Federal Agencies Reaffirming the Mandates of Executive Order 13166*, February 2011  
[http://www.justice.gov/crt/about/cor/AG\\_021711\\_EO\\_13166\\_Memo\\_to\\_Agencies\\_with\\_Supplement.pdf](http://www.justice.gov/crt/about/cor/AG_021711_EO_13166_Memo_to_Agencies_with_Supplement.pdf)
- *Assistant Attorney General Thomas Perez Memorandum to Federal Agencies Regarding Executive Order 12250*, August 19, 2010  
[http://www.justice.gov/crt/about/cor/titlevi\\_memo\\_tp.pdf](http://www.justice.gov/crt/about/cor/titlevi_memo_tp.pdf)
- *Assistant Attorney General Thomas Perez Letter to Chief Justices and State Court Administrators Regarding Language Assistance Guidance*, August 16, 2010  
<http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/functionstartdown/5308/>

b) Commonly Asked Questions

- *Commonly Asked Questions and Answers Regarding Limited English Proficient (LEP) Individuals*  
[http://www.lep.gov/faqs/042511\\_Q&A\\_LEP\\_General.pdf](http://www.lep.gov/faqs/042511_Q&A_LEP_General.pdf)
- *Commonly Asked Questions and Answers Regarding Executive Order 13166*  
[http://www.lep.gov/faqs/042511\\_Q&A\\_EO\\_13166.pdf](http://www.lep.gov/faqs/042511_Q&A_EO_13166.pdf)
- *Commonly Asked Questions and Answers Regarding the Protection of Limited English Proficient (LEP) Individuals under Title VI of the Civil Rights Act of 1964 and Title VI Regulations*  
[http://www.lep.gov/faqs/042511\\_Q&A\\_TitleVI\\_and\\_Regulations.pdf](http://www.lep.gov/faqs/042511_Q&A_TitleVI_and_Regulations.pdf)
- *Common Language Access Question, Technical Assistance, and Guidance for Federally Conducted and Federally Assisted Programs*  
[http://www.lep.gov/resources/081511\\_Language\\_Access\\_CAQ\\_TA\\_Guidance.pdf](http://www.lep.gov/resources/081511_Language_Access_CAQ_TA_Guidance.pdf)

c) Language Access Program Planning Tools

- *“Overcoming Language Barriers – Language Access Program Planning Video Series”*, December 2011  
(available upon request by emailing to [LEP@usdoj.gov](mailto:LEP@usdoj.gov) and inserting “OLB Video Request” in subject line.)

- *Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs, May 9, 2011*  
[http://www.lep.gov/resources/2011\\_Language\\_Access\\_Assessment\\_and\\_Planning\\_Tool.pdf](http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf)

## **VII. ABA Standards for Language Access in Courts**

- [http://www.americanbar.org/content/dam/aba/administrative/legal\\_aid\\_indigent\\_defendants/ls\\_sclaid\\_standards\\_for\\_language\\_access\\_proposal.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_standards_for_language_access_proposal.authcheckdam.pdf)

## **VIII. Practical Guides**

- Nevada Judicial Bench Card – “Working with Nevada Court Interpreters”  
<http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/functionstartdown/10612/>
- Guide for Foreclosure Mediators – “Working with Nevada Court Interpreters”  
<http://foreclosure.nevadajudiciary.us/index.php/documents-and-forms/general-documents>
- Tips for Judges and Court Personnel When Working with Interpreters in the Courtroom  
<http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/functionstartdown/4660/>

## **IX. Translations**

- Guide to Translation of Court Documents (Consortium for Language Access in the Courts)  
<http://www.ncsc.org/Education-and-Careers/State-Interpreter-Certification/~media/Files/PDF/Education%20and%20Careers/State%20Interpreter%20Certification/Guide%20to%20Translation%20Practices%206-14-11.ashx>

## **X. Machine Translation (to be used by courts with caution)**

- Google Translate – <http://translate.google.com/#>
- PROMT-Online – <http://translation2.paralink.com/>
- SDL Free Translation.com – [www.freetranslation.com](http://www.freetranslation.com)
- World Lingo – [http://www.worldlingo.com/en/products\\_services/worldlingo\\_translator.html](http://www.worldlingo.com/en/products_services/worldlingo_translator.html)

## **XI. Legal Glossaries**

- Superior Court of California, County of Sacramento (Legal Glossaries in English, Arabic, Armenian, Hindi, Hmong, Mien, Mong, Punjabi, Romanian, Russian, Spanish, Urdu and Vietnamese)  
<http://www.saccourt.ca.gov/general/legal-glossaries/legal-glossaries.aspx>
- Self-study Resources (English, Ilocano, Mandarin and Spanish Legal Glossaries)  
<http://www.nevadajudiciary.us/index.php/selfstudyresources>

- Supreme Court of North Carolina (English/Spanish Glossary for Clerks of Superior Court)  
[http://www.nccourts.org/Citizens/CPrograms/Foreign/Documents/Clerks\\_Manual.pdf](http://www.nccourts.org/Citizens/CPrograms/Foreign/Documents/Clerks_Manual.pdf)

## ***XII. Useful Websites***

- LEP and ADA Technical Information (U.S. Department of Justice)
  - i. LEP Homepage – <http://www.lep.gov/>
  - ii. ADA Homepage – <http://www.ada.gov>
- LEP Data
  - i. U.S. Census Bureau – American FactFinder  
<http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>
  - ii. Migration Policy Institute - Limited English Proficient Individuals in the United States: Linguistic Diversity at the County Level  
<http://www.migrationinformation.org/integration/LEPstate-countyData.xlsx>